



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

THE
CHARTER AND ORDINANCES

OF THE
CITY OF MARQUETTE. *Mitch. Ordinances.*

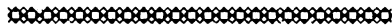
THE LAWS RELATING TO
THE BOARD OF WATER AND FIRE COMMISSIONERS,
THE BOARD OF LIGHT AND POWER COMMISSIONERS,
SCHOOL DISTRICT NUMBER ONE and
THE PETER WHITE PUBLIC LIBRARY.

ALSO,
MISCELLANEOUS PROVISIONS OF LAW REQUIRING DUTIES
OF LOCAL OFFICERS,

AND OTHER MATTER RELATING TO MUNICIPAL AFFAIRS.

COMPILED BY AUTHORITY OF THE COMMON COUNCIL
By GEORGE P. BROWN,
CITY ATTORNEY.

MINING JOURNAL PRINT,
1898.



APPROVED AND PUBLISHED UNDER DIRECTION OF
WM. J. STEVENS, FRED'K O. CLARK AND JAS. W. YOUNG,
COMMITTEE ON ORDINANCES, ETC.

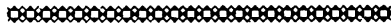


TABLE OF CONTENTS.

OFFICERS.

	Page.
Officers, boards, etc., of the city for 1898-9.....	vii
City officers since incorporation of city.....	viii
Membership of common council since incorporation of city.....	ix

TITLES.

Titles of all legislative acts relating to municipal affairs.....	xi
List of all village and city ordinances, with the dates of adoption....	xiv
List of ordinances contained in the compilations of 1873 and 1887....	xxiii

ACTS OF INCORPORATION.

Act incorporating the city of Marquette.....	1- 80
Chap. 1. Of the corporation and its boundaries.....	1
“ 2. Wards and their boundaries.....	2
“ 3. Electors and registration.....	3
“ 4. Of officers, their eligibility, selection and terms.....	5
“ 5. Elections, when and how held.....	7
“ 6. Vacancies in office, when they exist, how filled, etc....	9
“ 7. Of the powers of the common council.....	10
“ 8. Appropriation of private property.....	23
“ 9. Of the powers and duties of officers.....	31
Mayor.....	31
Recorder.....	32
Controller.....	33
President pro tempore.....	36
Street commissioner.....	36
Aldermen.....	37
Marshal.....	37
City attorney.....	38
Treasurer.....	38
Supervisors.....	39
Justices of the peace.....	39
“ 10. Of the public health.....	41
Of light and power.....	43
Of the park and cemetery commission.....	43
“ 11. Courts of justice, fines, penalties and legal proceedings	47
“ 12. Of taxation, taxes and the collection thereof.....	55
Of public improvements and assessments therefor.....	63
Of dog taxes and collection thereof.....	69
“ 13. Compensation and duties of officers.....	73
“ 14. Miscellaneous provisions.....	74
Of the board of fire and water commissioners.....	77

	Page.
Of school elections.....	78
Of qualifications of electors in school elections. (Note)	80
Act incorporating the board of fire and water commissioners.....	81
Act authorizing the board of fire and water commissioners to borrow money and issue bonds.....	87
Act incorporating the light and power commission.....	88
Act establishing school district number one.....	95
Act incorporating the Peter White public library.....	96
Grant of Presque Isle to the city.....	99

ORDINANCES.

No.		
1.	Meetings and proceedings of the common council.....	100
	Standing committees.....	101
	Order of business.....	101
2.	Ordinances, record and proof of.....	102
3.	Appointment and confirmation of officers.....	102
4.	Preferring and trying charges against officers.....	103
5.	Appointment and duties of city engineer.....	105
6.	Grading, paving and improvement of streets, etc., and the use and protection thereof.....	106
7.	Construction of sidewalks, assessments, encroachments.....	112
8.	House sewer connections and drainage.....	118
9.	Numbering of lots and buildings.....	119
10.	Collection of special assessments.....	120
11.	Sale of lands for assessments, and redemption.....	121
12.	Organization of a city police.....	124
13.	Prevention of vice and immorality, etc.....	128
14.	Public peace and good order.....	133
15.	Exposure to injury by street cars, etc.....	133
16.	Blowing of steam whistles.....	134
17.	The use of slung shots.....	135
18.	Coasting, skating and dog sleighs.....	135
19.	Use of bicycles and similar vehicles.....	136
20.	Protection of public lamps and lamp posts.....	137
21.	Protection of public parks, cemeteries and grounds.....	137
22.	Opening and closing saloons.....	139
23.	Duties of fire warden and protection from fire.....	139
24.	Fire limits and the construction of buildings.....	141
25.	The harbor of Marquette.....	145
26.	Establishing harbor wharf limits.....	147
27.	The public health.....	148
28.	Nuisances.....	152
29.	Introduction of cholera, etc., into the city.....	155
30.	The sanitary condition of barber shops.....	156
31.	The burial and removal of the dead.....	157
32.	The public park and city cemetery, etc.....	159
33.	Auctioneers.....	160
34.	Hawkers and peddlers.....	162
35.	Public entertainments.....	163

	Page.
36. Pounds, poundmasters and restraining animals	165
37. Voting on the borrowing of money.....	170
38. Accepting Marquette monument and for its preservation	172
39. Defining offenses, prescribing penalties and providing for the employment of offenders.....	225
40. Relative to police.....	226
41. Prohibiting the use of overloaded vehicles.....	227
41. Adopting rules of parliamentary practice	228

RESOLUTIONS.

Relative to delinquent personal taxes.....	172
Remitting of special assessments.....	173
Publication of charter, ordinances, etc.....	228

MISCELLANEOUS LOCAL REGULATIONS.

The Davis sewer specifications.....	174
Rules and restrictions of the board of fire and water commissioners, for the government of water takers.....	185
Location of fire alarm boxes.....	185
Rules and Regulations of the Peter White public library	186
State law for the protection of libraries.....	188
Rules and regulations of the light and power commission.....	189

MISCELLANEOUS PROVISIONS OF LAW.

Caucuses and conventions.....	191
Party challengers at elections.....	192
Purity of political conventions.....	192
Election laws.....	193
Election commissioners.....	193
Party committees.....	193
Anti-fusion law.....	193
Offenses against election laws.....	194
Betting on elections and appointments	194
Maintenance of political purity.....	195
Inspection of buildings.....	197
Bonds to insure payment of wages and for materials.....	197
The public health.....	199
Quarantine.....	201
Small pox and other dangerous diseases.....	201
Offensive trades.....	203
Boards of health in cities.....	203
Free vaccination.....	203
Introduction of dangerous communicable diseases.....	203
Spread of dangerous communicable diseases.....	204
Prevention of blindness in the newly born.....	204
The registration of deaths.....	204
The registration of physicians and midwives.....	206

	Page.
The compulsory education of children, and punishment of truancy...	206
Act to prevent crime and punish truancy.....	208
Impounding of animals	209
Vicious dogs.....	212
The law of the road and the regulation of public carriages.....	212
The use of bells on teams and sleighs.....	213
Public peace and morality.....	213
Carrying concealed weapons.....	213
Houses of ill fame.....	214
Drunk and intoxicated persons	214
Disorderly persons.....	214
Furnishing tobacco to minors.	214
Improper language in presence of women or children	214
Sunday observance, gaming, betting.....	215
Penal provisions of the liquor law	217
Females as barkeepers, etc.....	220
Crimes and the punishment thereof.....	220
The safekeeping of public moneys	221
Loosing horses, teams and boats.....	221
Parliamentary practice, relative to motions.....	222
Fees of officers in criminal cases.....	224

CITY ORDINANCES.

Ordinance defining offenses, prescribing penalties and providing for the employment of offenders	225
Ordinance relative to regular and reserve police.....	226
Ordinance prohibiting the use of overloaded vehicles.....	227
Ordinance adopting rules of parliamentary practice.....	228
Resolution relative to publication of this volume	228

INDEXES.

Index to city charter and board acts.....	229
Index to ordinances, local regulations, etc.....	250

Officers of the City of Marquette--1898-9.

MAYOR.....JOSEPH F. NEIDHART.
 TREASURER.....AUGUST MACHTS.
 RECORDER.....THOMAS MEADS.
 PRESIDENT OF COUNCIL.....HENRY C. HAMILL.

Controller.....FRANKLIN E. BAY. *City Attorney*...GEORGE P. BROWN.
Marshal.....TIMOTHY J. MANEY. *Health Officer*.....F. McD. HARKIN.
Street Comm'r..ROBERT R. FRENCH. *Harbor Master*..PAT'K H. MCGUIRE.

WARD.	SUPERVISORS.	ALDERMEN (COMMON COUNCIL).	
First ..	John Connors.....	Michael W. Shea....	Martin Gorman.....
Second.	Joseph Fay.....	Frederick O. Clark..	John E. Tobin.....
Third ..	Daniel W. Powell...	William J. Stevens..	Oliver D. Jones.....
Fourth.	George Wagner.....	James W. Young ...	Albert D. Jacobs ...
Fifth ..	Wm. J. O'Meara....	Charles Beaudry....	James T. Gray
Sixth ..	Seymour H. Holley...	John A. Ekstrom....	Jacob Smith.....
Seventh	Francis Finlay.....	Emil Gustafson	Walter T. Ward....
Eighth.	Edwin J. Sink.....	Henry C. Hamill....	William A. Brown..

Election Commissioners.—Francis M. Moore, Wm. S. Hill, Frank Pendill.

Fire Wardens.—James J. Donovan, Michael V. Mullally.

Regular Police.—Chas. Anderson, Wm. J. Clendinning, Theophile Henne,
 John E. Powers, Peter Doetch, Michael H. Foard.

Justices of the Peace.—Thomas Meads, Samuel E. Byrne, Leonard P.
 Crary, Charles D. Blanchard.

Constables.—Jacob Dolf, Conrad Wellman.

Poundmasters.—Richard G. Holmes, Joseph Duyore, Robert Hume.

PUBLIC BOARDS.

Board of Fire and Water Commissioners.—Edward B. Palmer, president;
 John P. Kern, secretary.—Members: Edward B. Palmer, Leander
 C. Palmer, Edward E. Homeier, Charles H. Call, Charles A. Eggers,
 Joseph F. Neidhart (ex-officio).

Light and Power Commission.—James Russell, president; Frank Pendill,
 secretary; Russell H. Willson, superintendent.—Members: John J.
 Connolly, Hazael J. Payne, Edgar H. Towar, James Russell, Frank
 Pendill.

Park and Cemetery Commission.—Peter White, president; William Burt,
 secretary; Robert Hume, sexton.—Members: William Burt, Daniel
 W. Powell, Peter White, Joseph F. Neidhart (ex-officio).

Trustees School District No. 1.—Joseph F. Neidhart, moderator; George
 Barnes, director; Peter White, assessor.—Trustees: George Barnes,
 Joseph F. Neidhart, John L. Johnason, Peter White, Frederick O.
 Clark.

Trustees of Peter White Public Library.—A. Kline Thiell, president;
 Francis P. Midlam, secretary; Rose E. Patenaude, librarian.—Mem-
 bers: A. Kline Thiell, Arthur E. Delf, Francis P. Midlam, John W.
 Stone, Charles R. McCabe.

CITY OFFICERS SINCE INCORPORATION OF THE CITY.

YEAR.	MAYOR.	RECORDER.	TREASURER.	MARSHAL.	STREET COMMISSIONER.	CITY ATTORNEY.	ASSESSOR.
1871	Henry H. Stafford...	Archib'd G. Benedict	Francis M. Moore...	Jacob Dolf...	One in each ward...	James E. Daillba...	Supervisors ex officio
2	Samuel P. Ely...	Sidney E. Church...	Francis M. Moore...	Jacob Dolf...	Matthew McConnel...	James E. Daillba...	Supervisors ex officio
3	Samuel P. Ely...	Joseph H. Primeau...	Francis M. Moore...	Thomas B. Rundle...	Matthew McConnel...	John L. Cochran...	Supervisors ex officio
4	Alfred P. Swineford...	Joseph H. Primeau...	Francis M. Moore...	Thomas B. Rundle...	John F. Mack...	John L. Cochran...	Edward B. Palmer...
5	Alfred P. Swineford...	Joseph H. Primeau...	August Machts...	Thomas B. Rundle...	Edmund M. Spaulding	John L. Cochran...	Edmund M. Spaulding
1876	James Pickands...	Joseph H. Primeau...	August Machts...	Alexander Ferguson	Patrick Doyle...	John L. Cochran...	Edmund M. Spaulding
7	Francis M. Moore...	Joseph H. Primeau...	August Machts...	William H. Kalglin...	Patrick Doyle...	John L. Cochran...	John F. Mack...
8	James P. Pendill...	Joseph H. Primeau...	August Machts...	John A. French...	Eusebe Reau...	Matthew H. Maynard	Leander Palmer...
9	James P. Pendill...	John G. O'Keefe...	Chas. A. Eggers...	Robert R. French...	Robert R. French...	Robert J. Mapes...	Samuel E. Byrne...
1880	James P. Pendill...	John G. O'Keefe...	Chas. A. Eggers...	Robert R. French...	Robert R. French...	Robert J. Mapes...	Samuel E. Byrne...
1881	James P. Pendill...	John G. O'Keefe...	Samuel W. Bailey...	Robert R. French...	Robert R. French...	Robert J. Mapes...	Samuel E. Byrne...
2	Jeffrey Coles...	John G. O'Keefe...	Charles H. Call...	Robert R. French...	Robert R. French...	Robert J. Mapes...	Geo. P. Cummings...
3	Samuel W. Wheeler...	John G. O'Keefe...	Charles H. Call...	Robert R. French...	Robert R. French...	Robert J. Mapes...	Samuel E. Byrne...
4	Frank B. Spear...	John G. O'Keefe...	Charles H. Call...	Robert R. French...	Robert R. French...	Robert J. Mapes...	Samuel E. Byrne...
5	Henry C. Thurber...	John G. O'Keefe...	Charles H. Call...	Robert R. French...	Robert R. French...	William S. Hill...	Samuel E. Byrne...
1886	Henry C. Thurber...	Thomas Meads...	Peter F. Frei...	Michael Ryan...	Patrick F. Mullally...	William S. Hill...	Samuel E. Byrne...
7	Timothy Nester...	Thomas Meads...	Peter F. Frei...	Michael Ryan...	Patrick F. Mullally...	William S. Hill...	Samuel E. Byrne...
8	Frederick O. Clark...	Thomas Meads...	August Machts...	James Maloney...	Patrick F. Mullally...	William S. Hill...	Sidney Adams...
9	Frederick O. Clark...	Thomas Meads...	August Machts...	James Maloney...	John P. Finlayson...	William S. Hill...	Sidney Adams...
1890	John M. Longyear...	Thomas Meads...	August Machts...	James Maloney...	John P. Finlayson...	William S. Hill...	Hampson Gregory...
1891	John M. Longyear...	Thomas Meads...	August Machts...	James Maloney...	John P. Finlayson...	George P. Brown...	Sidney Adams...
2	Sidney Adams...	Thomas Meads...	August Machts...	James Maloney...	John P. Finlayson...	George P. Brown...	Samuel E. Byrne...
3	Nathan M. Kaufman...	Thomas Meads...	August Machts...	James Maloney...	Robert R. French...	Myron J. Sherwood...	George A. Royce...
4	Nathan M. Kaufman...	Thomas Meads...	August Machts...	James Maloney...	Robert R. French...	Myron J. Sherwood...	George A. Royce...
5	John H. Jacobs...	Thomas Meads...	August Machts...	James Maloney...	John P. Finlayson...	George P. Brown...	Franklin E. Bay...
1896	John H. Jacobs...	Thomas Meads...	August Machts...	Arthur T. Emmons...	Edward E. McIntosh...	George P. Brown...	Franklin E. Bay...
7	James E. Sherman...	Thomas Meads...	August Machts...	Arthur T. Emmons...	Edward E. McIntosh...	George P. Brown...	Franklin E. Bay...
8	Joseph F. Neidhart...	Thomas Meads...	August Machts...	Timothy J. Maney...	Robert R. French...	George P. Brown...	Franklin E. Bay...

HEALTH OFFICER.—1871, 2, 3, 1881, Morgan L. Hewitt; 1880, 1892, Geo. J. Northrop; 1882, Joseph A. Desjardins; 1883-9, 1890, A. Kline Thell; 1891, Alfred Desjardins; 1893, 4, 5, 6, 8, Fred'k MCD. Harkin; 1897, Jas. H. Dawson.

CITY ENGINEER.—1869, 1890, Paul McKay; 1891, 2, 3, 4, 6, 7, Edward E. McIntosh.

MEMBERSHIP OF THE COMMON COUNCIL SINCE
INCORPORATION OF CITY.

PRESIDENTS OF COUNCIL IN ITALIC.

1871.—Dan H. Ball, Timothy T. Hurley, Terrance Moore, Peter C. Parkinson, Alex. C. Thiell, James M. Wilkinson, *Archibald G. Benedict*, Recorder.

1872.—Dan H. Ball, Timothy T. Hurley, Terrance Moore, Balthasar Neidhart, Peter C. Parkinson, James M. Wilkinson; *Sidney E. Church*, Recorder.

1873.—James Atfield, Daniel Brittel, Thomas E. Cook, Edward Fraser, Amos R. Harlow, Balthasar Neidhart. *Joseph H. Primeau*, Recorder.

1874.—Daniel Brittell, Thomas E. Cook, Edward Fraser, Amos R. Harlow, Timothy T. Hurley, George Wagner, *Joseph H. Primeau*, Recorder.

1875.—Sidney Adams*, Thomas E. Cook, Edward Fraser, Burr Hursley, Saly M. Levi, Patrick F. Mullally, James Oakes, John G. O'Keef, Michael Ralph, *Joseph H. Primeau*, Recorder.

1876.—Sidney Adams, Thomas E. Cook, Elisha F. Eddy, Edward Fraser, Henry D. Lyons, Patrick F. Mullally, Michael Ralph, Alfred P. Swineford, *Joseph H. Primeau*, Recorder.

1877.—Brainerd F. Childs, Thomas E. Cook, Elisha F. Eddy, William H. Green, Henry D. Lyons, Thomas Smith, *Alfred P. Swineford*, Samuel Wilmot.

1878.—Brainerd F. Childs, John O'Connor, William H. Green, *Henry D. Lyons*, John McCarthy, Louis Reidinger, Thomas Smith, William H. Williams.

1879.—Zephyr Boyer, James Dwyer, *Henry D. Lyons*, John McCarthy, James Pickands, Louis Reidinger, John Thoney, William H. Williams.

1880.—Zephyr Boyer, John O'Connor, James Dwyer, *Henry D. Lyons*, Patrick F. Mullally, James Pickands, John Thoney, William H. Williams.

1881.—John O'Connor, Patrick Deasy, *Henry D. Lyons*, John F. Mack, Patrick F. Mullally, James Pickands, Allen Prentice, William H. Williams.

1882.—Joseph Bolduc, Patrick Deasy, Jacob Frei, Thomas Heffernan, *Henry D. Lyons*, John F. Mack, Allen Prentice, James Pickands.

1883.—Joseph Bolduc, Jacob Frei, Thomas Heffernan, *Henry D. Lyons*, John F. Mack, George W. Reed, William D. Rees, Daniel Reynolds.

1884.—Peter Dolf, Patrick McCann, John F. Mack, Thomas Morgan, George W. Reed, Leander C. Palmer, Charles Watson, *Edward A. Wetmore*.

1885.—John A. Ekstrom, John P. Finlayson, William H. Green, Patrick Keyes, Eugene Krieg, Patrick McCann, Thomas Morgan, Leander C. Palmer, Charles Watson, *Edward A. Wetmore*.

1886.—John A. Ekstrom, Sidney B. Floeter, Frederick Frei, William H. Green, Martin C. Johnson, Patrick Keyes, Thomas Morgan, Leander C. Palmer, *Edward A. Wetmore*, Julius F. Zerbel.

1887.—John Connors, John A. Ekstrom, Sidney B. Floeter, Frederick Frei, Michael Hennessey, Patrick Keyes, Thomas Morgan, Leander C. Palmer, *Edward A. Wetmore*, Julius F. Zerbel.

1888.—John Conners, Peter Dolf, Timothy Donovan, John A. Ekstrom, Michael Hennessey, Patrick Keyes, John F. Mack, Leander C. Palmer, *George W. Rule*, James F. Todd,

1889.—Peter Dolf, Timothy Donovan, Patrick McGivern, John Helmert, Michael Hennessey, John F. Mack, Leander C. Palmer, *George W. Rule*, James F. Todd Robert R. Todd.

1890.—Joel Gillett, John Helmert, Michael Hennessey, John L. Johnason, *John F. Muck*, Patrick McGivern, Leander C. Palmer, James Pendill, James F. Todd Robert R. Todd.

1891.—Abel F. Agnew, Alfred Desjardins, Thomas F. Follis, Joel Gillett, *Michael Hennessey*, John L. Johnason, Frank Kearney, Judd B. McGregor, Smith Moore, James Pendill, Daniel W. Powell, Henry Siegel, Leslie H. Stafford, James W. Young, James F. Todd, Jacob P. Werner.

1892.—Abel F. Agnew, Alfred Desjardins, Thomas F. Follis, Joel Gillett, Henry O. Gravelle, Michael Hennessey, John L. Johnason, Frank Kearney, Judd B. McGregor, Smith Moore, *Daniel W. Powell*, Henry Siegel, Leslie H. Stafford, James W. Young, Jacob P. Werner, Elwyn C. Williams.

1893.—George Arthur Brown, Alfred Desjardins, Joel Gillett, Henry O. Gravelle, Michael Hennessey, Henry Hoch, Edward E. Homier, James Jamerson, Smith Moore, John J. Mullally, *Benjamin O. Pearl*, John W. Putnam, John C. Rygaard, Charles F. Schoch, Elwyn C. Williams, Julius F. Zerbel.

1894.—George Arthur Brown, William A. Brown, Alfred Desjardins, Michael Hennessey, Henry Hoch, Seymour H. Holley, Edward E. Homeier, James Jamerson, Smith Moore, John J. Mullally, *Benjamin O. Pearl*, John W. Putnam, Charles Rossetter, Charles F. Schoch, James E. Sherman, John E. Tobin, Ernest W. Vandenberg.

1895.—Charles D. Blanchard, William A. Brown, Michael Carney, Henry W. Hoch, Seymour H. Holley, Eugene J. Krieg, Frank Pendill, John Robertson, Charles Rossetter, Charles F. Schoch, Michael W. Shea, *James E. Sherman*, Leslie H. Stafford, John E. Tobin, Ernest W. Vandenberg.

1896.—Jules Bertrand, William A. Brown, Frederick O. Clark, Alfred Desjardins*, George W. Hoag, Henry W. Hoch, Albert D. Jacobs, Eugene J. Krieg, Frank Pendill, John Robertson, Michael W. Shea, *James E. Sherman*, Jacob Smith*, Leslie H. Stafford, John E. Tobin, James E. Trethewey, Ernest W. Vandenberg, Walter T. Ward.

1897.—Charles Beaudry, William A. Brown, Frederick O. Clark, John Conners*, John A. Ekstrom, Emil Gustafson, *Henry C. Hamill*, Albert D. Jacobs, Ernest Rankin, John Robertson, Michael W. Shea, Jacob Smith, William J. Stevens, John E. Tobin, Ernest W. Vandenberg, Walter T. Ward, James W. Young.

1898.—Charles Beaudry, William A. Brown, Frederick O. Clark, John A. Ekstrom, Martin Gorman, James T. Gray, Emil Gustafson, *Henry C. Hamill*, Albert D. Jacobs, Oliver D. Jones, Michael W. Shea, Jacob Smith, William J. Stevens, John E. Tobin, Walter T. Ward, James W. Young.

*To fill vacancy.

TITLES OF THE
ACTS OF THE LEGISLATURE
RELATIVE TO THE
CITY OF MARQUETTE.

Act No. 94 laws of 1859, p. 224.—An act incorporating the village of Marquette. Approved February 10, 1859.

Act No. 504 laws of 1867, vol. 2, p. 1035.—An act to amend section seven, of an act entitled, “an act to incorporate the village of Marquette,” approved February tenth, eighteen hundred and fifty-nine.—Approved March 27, 1867.

Act No. 243 vol. 2, laws of 1869, p. 104.—An act to create a board of water commissioners in the village of Marquette, and to define its powers and duties. Approved March 2nd, 1869.

Act No. 202 vol. 2, laws of 1871, p. 35.—An act incorporating the city of Marquette. Approved February 27th, 1871.

Act No. 244 vol. 2, laws of 1873, p. 639.—An act to amend an act entitled “an act to incorporate the city of Marquette”, being “act No. 202 of the session laws of 1871, approved February 27th, 1871”. Approved April 12th, 1871.

Act No. 257 local acts of 1875, p. 19.—An act to amend an act entitled “an act to incorporate the city of Marquette”, being act two hundred and two of the session laws of eighteen hundred seventy-one, approved February twenty-seven, eighteen hundred and seventy-one, as amended by an act entitled “an act to amend an act entitled ‘an act to incorporate the city of Marquette,’ ” being act number two hundred and two of the session laws of eighteen hundred and seventy-one, approved February twenty-seventh, eighteen hundred and seventy-one, approved April twelfth, in the year of our Lord one thousand eight hundred and seventy-three. Approved March 10, 1875.

Act No. 297 local acts of 1875, p. 253.—An act to amend section twenty-two of an act entitled “an act to create a board of water and fire commissioners in the village of Marquette,” being act number two hundred and forty-three of the session laws of eighteen hundred and sixty-nine. Approved March 2, 1859. Approved April 1, 1875.

Act No 360 local acts of 1877, p. 496.—An act to amend section two of chapter II., section one of chapter V., and section four of chapter VI of

an act entitled "an act to incorporate the city of Marquette," approved February twenty-seventh, eighteen hundred and seventy-one, and the several acts amendatory thereof, and to add a new section thereto, to stand as section twenty of chapter X. Approved May 23, 1877.

Act No. 245 local acts of 1885, p. 14.—An act to amend an act entitled "an act to amend an act entitled 'an act to incorporate the city of Marquette'", as theretofore amended, as recited in the title of the act hereby amended, which was approved March ten, eighteen hundred and seventy-five, so as to provide for five wards in said city. Approved February 17, 1885.

Act No. 385 local acts of 1885, p. 469.—An act to abolish fractional school district number one of the city and township of Marquette, and to form the territory of the city of Marquette, into a single school district. Approved June 16, 1885.

Act No. 366 local acts of 1887, p. 117.—An act to amend section one of chapter one of an act entitled "an act to incorporate the city of Marquette," being act two hundred and two of the session laws of eighteen hundred and seventy-one, approved February twenty-seventh, eighteen hundred and seventy-one as amended by the several acts amendatory thereof. Approved March 2, 1887.

Act No. 373 local acts of 1889, p. 526.—An act to amend chapter five of act number two hundred and two of the session laws of eighteen hundred and seventy-one, entitled, "an act to incorporate the city of Marquette," approved February twenty-seven, one thousand eight hundred seventy-one, by the addition of a new section to said chapter, to stand as section twenty. Approved April 17, 1889.

Act No. 240 local acts of 1891, p. 133.—An act to authorize the board of water and fire commissioners of the city of Marquette to borrow money and to issue bonds therefor. Approved March 21, 1891.

Act No. 249 local acts of 1891, p. 219.—An act to amend and revise the charter of the city of Marquette, Marquette county. Approved March 27, 1891.

Act No. 254 local acts of 1891, p. 329.—An act to provide for the organization, support and management of a free public library in the city of Marquette, to be known as "The Peter White public library of the city of Marquette". Approved March 27, 1891.

Act No. 323 local acts of 1893, p. 910.—An act to amend section 2 of chapter 1; sections 3 and 4 of chapter 3; sections 1, 2, 5, 7, and 8 of chapter 4; section 1 of chapter 5; sections 1, 3, 6, 8, 9, 10, 14 and 15 of chapter 7; chapter 8; sections 2, 3, 5, 6, 9, 10, and 14 of chapter 9; chapter 10; sections 3, 4, 5, 6, 7, 8, and 9 of chapter 11; sections 1, 2, 3, 4, 5, 6, 8, 10, 11, 14, 15, 16 and 30 of chapter 12; sections 1 and 3 of chapter 13; sections 11 and 20 of chapter 14, of an act entitled "an act to amend and revise the charter of the city of Marquette, Marquette county," approved March 27, 1891, and to add certain new sections thereto, to stand as section 2 of chapter 2; sections 5, 6, 7 and 8 of chapter 3; sections 21, 22, 23 and

24 of chapter 7; section 15 of chapter 9; sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 of chapter 11; sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of chapter 12; sections 21, 22, 23 and 24 of chapter 14 of said act. Approved March 27, 1893.

Act No. 393 local acts of 1893, p 1179.—An act to detach certain land from the city of Marquette in the county of Marquette, and attach the same to the township of Marquette, in said county of Marquette. Approved May 23, 1893.

Act No. 404 local acts of 1895, p. 328.—An Act to amend sections 5 and 8 of chapter 4; section 3 of chapter 6; sections 1, 7, and 13 of chapter 7; section 24 of chapter 8; sections 8 and 18 of chapter 12, of an act entitled “an act to amend and revise the charter of the city of Marquette, Marquette county,” approved March twenty-seventh, eighteen hundred and ninety-one, as amended by act number three hundred and twenty-three of the local acts of the legislature of the state of Michigan of the year eighteen hundred ninety-three, and to add twenty-nine new sections thereto to stand as sections six to thirty-four, inclusive, of chapter ten, and section twenty-five of chapter fourteen of said act. Approved May 16, 1895.

Act No. 353 local acts of 1897, p. 237.—An act to create a light and power commission in the city of Marquette, Mich, and to define its powers and duties. Approved March 18, 1897.

Act No. 355 local acts of 1897, p 249.—An act to amend section thirteen of chapter seven; sections two, six and eight of chapter nine, and sections two, seven, eight, ten, twelve, thirteen, fourteen, sixteen, eighteen, nineteen and twenty-two of chapter twelve of an act entitled “an act to amend and revise the charter of the city of Marquette, Marquette county,” approved March twenty-seven, eighteen hundred and ninety-one, as amended by act number three hundred and twenty-three of the local acts of the year eighteen hundred and ninety-three, and as amended by act number four hundred and nine of the local acts of the year eighteen hundred and ninety-five; and to add three new sections thereto to stand as sections thirty-seven, thirty-eight, and thirty-nine of chapter twelve; and to repeal all acts or parts of acts contravening the provisions of this act. Approved March, 18, 1897.

List of Village and City Ordinances.

DATES OF ADOPTION AND ABSTRACT OF TITLES OF ALL VILLAGE AND CITY ORDINANCES, WITH PAGE OF LIBER WHERE RECORDED.

Liber "A" refers to record of Village Proceedings.

Liber "B" refers to First Volume of Proceedings of the Common Council.

Libers 1, 2, 3, 4 refer to numbered volumes of the Proceedings of the Common Council.

Liber "O 1" refers to Record of Ordinances and By-Laws, Vol. 1.

VILLAGE ORDINANCES.

1868.	RECORD OF VILLAGE PROCEEDINGS.....	LIB. A.
June 13,	Fire limits, etc.....	3
June 15,	Depositing rubbish on lake shore.....	4
Dec. 15,	Relative to peddlers.....	30
1869.		
Jan. 18,	Sliding on sidewalks.....	37
April 23,	Streets and sidewalks.....	46
April 23,	Shows and exhibitions.....	47
April 23,	Sale of liquors on Sabbath.....	47
April 23,	Sidewalks in Washington, Front, Superior, Spring, Rock and Third streets.....	49
April 26,	Fire limits.....	50
May 8,	Grading Ridge street west of Front street.....	55
June 14,	Sidewalk, west side Lake street.....	58
June 25,	Sidewalks, Lake street, etc.....	63
July 8,	Macadamizing portion of Front street.....	65
July 17,	Gas franchise.....	68
Aug. 4,	Sidewalk, Spring street.....	72
Aug. 24,	Lake street grading.....	76
Oct. 5,	Repairs on Ridge street.....	83
Oct. 5,	Sidewalk, Lake street.....	83
Nov. 2,	Assessment for improvement of Lake street.....	88
1870.		
April 5,	Velocipedes on sidewalks.....	124
May 3,	Establishing grade of Washington street.....	132
May 17,	Licensing drays, etc.....	136
May 17,	Sidewalk, north side Washington street.....	138

1870.	RECORD OF VILLAGE PROCEEDINGS.....	LIB. A.
Aug. 2,	Sidewalk, north side Fisher street.....	146
Aug. 2,	Sidewalk, west side Third street.....	147
Aug. 23,	Sidewalk, south side Ridge street.....	151
Sept. 20,	Grading Arch street, Front street to Cedar street.....	156
Oct. 4,	Cross-walk in Washington street.....	158
Oct. 4,	Collection of special taxes.....	160
Oct. 11,	Extending fire limits.....	162
Nov. 15,	Grading and macadamizing portion of Front street.....	167
Nov. 29,	Running at large of horses.....	169
Dec. 20,	Grading Superior street.....	173
Dec. 16,	Nitro-glycerine.....	174

CITY ORDINANCES.

1871.	FIRST VOLUME, PROCEEDINGS OF COMMON COUNCIL.....	LIB. B.
May 1,	Building line on Blaker and Ridge streets.....	20
May 22,	Appointment of street commissioner, etc.....	36
May 24,	Planking, etc., Superior street.....	38
May 29,	Relative to construction of sidewalks.....	43
June 1,	Bridge in Front street over Jackson cut.....	53
June 1,	Respecting the public lamps and lamp posts.....	54
June 1,	Grading Spruce street.....	54
June 1,	Sidewalk, Spruce street.....	55
June 1,	Sidewalk, Arch street.....	55
June 1,	Pounds, etc.....	55-58
June 1,	Nuisances.....	58
June 1,	Board of Health, etc.....	61
June 1,	Grading, paving and improvement of streets, etc.....	65
June 12,	Grading Hampton street.....	77
June 17,	Prevention of vice, etc.....	87
Sept. 15,	Sidewalk, Spruce street.....	111
1872.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 1.
April 4,	Licensing shows, etc.....	26
April 4,	Auctioneers.....	27
April 4,	Pounds (Amending Sec. 1).....	29
April 4,	Duties of fire wardens, etc.....	29
April 4,	Relative to drays and other vehicles.....	31
April 4,	Fire limits.....	33
April 4,	Sale of lands for delinquent assessments.....	36
April 4,	Public park and city cemetery and park and cemetery commissioner.....	39
April 4,	Repealing certain village ordinances.....	42
April 4,	Hawkers, peddlers and transient traders.....	43
April 4,	Organizing a city police.....	44
April 4,	Concerning ordinances.....	46
Sept. 2,	Macadamizing portion of Washington street.....	65
Sept. 28,	Harbor and harbor master.....	72

1873.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 1.
June 2,	Improvement of portion of Spruce street.....	110
June 6,	Grading Superior, Seventh and Grove streets.....	113
June 6,	Opening and improving Champion street.....	115
June 16,	Grading and macadamizing portion of Ridge street.....	118
June 16,	Adding Secs. 22 and 23 to ordinance relative to prevention of vice, etc.....	120
July 21,	Sewer through Spring street into Lake Superior.....	132
July 21,	Sewer in Washington street.....	133
July 21,	Amending Sec. 3, relative to auctioneers.....	134
July 28,	Opening and improvement of Champion street.....	136
July 28,	Amending Sec. 3, relative to pounds, etc.....	140
Aug. 25,	Grading and improvement of portion of Pine street.....	144
Aug. 25,	Grading and macadamizing portion of Ridge street.....	145
Aug. 25,	Grading portion of Lake street.....	154
Sept. 8,	Establishing and locating portion of Lake street.....	158
Sept. 22,	Sidewalks, Bluff and Ridge streets.....	163
1874.		
April 27,	Grading and macadamizing portion of Washington street...	276
May 11,	Amending section three relative to hawkers etc.....	283
June 8,	Grading and improvement of Bluff street.....	296
June 8,	Grading and improvement of Hampton street.....	297
June 18,	Drays and hay and wood market.....	301
Sept. 28,	Sidewalk in Ridge street.....	342
Sept. 28,	Sidewalk in Spring street.....	343
1875.		
Feb. 15,	Vacating portion of Pine street and extending Mt. Vernon street to Fourth street....	406
Feb. 17,	Amending section 16 grading, paving and improvement.... of streets etc.....	409
June 4,	Establishing poll-tax, etc.....	493
June 4,	Grading and improvement of portion of Spring street.....	494
June 14,	Grading and macadamizing portion of Spruce street.....	497
June 14,	Grading portion of Third street.....	498
June 14,	Grading portion of Arch street.....	498
July 21,	Improvement of portion of Third street.....	514
July 12,	Improvement of portion of Third street.....	515
Aug. 2,	Amending section three, relative to pound, etc.....	530
Sept. 20,	Amending sec. 19 of ordinance No. 4 (sidewalks); sec. 4 and 7 of ordinance No. 6 (police); sec. 19 of ordinance No. 7 (pounds); secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, 20 and 23 of ordinance No. 10 (vice and immorality); and secs. 15 and 16 of ordinance No. 11 (Nuisances).....	545
1876.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 2
June 15,	Opening and improving Champion street (amendment)....	13
1877.		
Sept. 18,	Defining duties of fire warden (amendment).....	161

1878.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 2
Jan. 7,	Sale of wood	194
Feb. 4,	Sale of wood.....	205
1880.		
Sept. 20,	Improvement of portions of Michigan street and Walnut street	371
Sept. 20,	Improvement of portion of Ridge street.....	371
Sept. 20,	Sewer in Ridge street, etc.....	372
1881.		
Mar. 25,	Changing location of Lake street.....	396
May 25,	Improvement of Rock and Fisher streets.....	397
May 25,	Improvement of Fourth, Fifth and Sixth streets.....	397
May 25,	Sidewalk in Fisher, Rock, Third, Fourth, Fifth and Sixth streets	397
May 25,	Sidewalks in Blaker and Lake streets.....	398
May 25,	Relative to Pounds, etc, (amendment).....	398
June 16,	Improvement of Lake, Fisher and Fourth streets (amendment)	400
June 16,	Relative to pounds and pound masters (amendment).....	400
June 28,	Improvement of Arch, Third and Fourth streets.....	402
June 28,	Sidewalks in Arch, Third and Fourth Streets.....	403
1882.		
June 5,	To regulate the blowing of steam whistles.	432, 440
June 5,	Telephone franchise.....	439
July 1,	Improvement of Genesee street.....	443
July 1,	Sidewalks in Genesee street.....	443
Aug. 7,	Vacating Cedar street between Michigan and Ohio streets..	445
Aug. 7,	Improvement of Michigan street (amendment).....	446
Sept. 18,	Improvement of portion of Fourth street	452
Sept. 18,	Construction of sidewalks in Fourth street.....	452
Sept. 30,	Construction of a sewer in Bluff and Front streets.....	455
1883.		
May 17,	Sewer in Front street and to the lake.....	489
May 17,	Amending pound ordinance.....	490
Aug. 6,	Grading portion of Fourth street.....	500
Sept. 6,	Grading portion of Champion street.....	504
Sept. 6,	Grading portion of Washington street.....	504
Sept. 6,	Sidewalks in Champion street.....	504
Sept. 6,	Sidewalks in Washington street.....	504
Oct. 1,	Sidewalks in Champion and Jackson streets.....	511
Dec. 3,	Prevention of coasting, skating or riding on dog sleighs on sidewalks	517
Dec. 3,	Prohibiting the use of sling shots.....	517
1884.		
May 22,	Improvement of portions of Third, Mesnard and Division streets	543
May 22,	Sidewalks in High street.....	543
May 22,	Improvement of portion of Genesee street.....	544
May 22,	Sidewalk in Genesee street.....	544
June 2,	Improvement of portion of Michigan street.....	547
June 2,	Sidewalks in Michigan street.....	547

1884.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 2
June 19,	Grading portion of Front street.....	552
June 19,	Sidewalks in Front street:.....	552
July 16,	Improvement of portion of Third street.....	559
July 16,	Sidewalks in Third street.....	559
July 16,	Improvement of portion of Seventh street.....	559
July 16,	Sidewalks in Seventh street.....	559
July 16,	Improvement of portion of Pine street.....	559
July 16,	Sidewalks in Pine street.....	560
Aug. 4,	Vacating all of Division street south of Genesee street not included in Third street.....	565
Aug. 14,	Improvement of portion of Mather street.....	565
Aug. 14,	Sidewalks in Mather street.....	566
Aug. 14,	Improvement of portion of Third street.....	566
Aug. 14,	Sidewalks in Third street.....	566
1885.		
Aug. 3,	Improvement of portion of Spruce street.....	602
Aug. 3,	Sewer in Washington and Third streets.....	603
Sept. 26,	Vacating alleys.....	610
Oct. 21,	Sidewalk in Champion street.....	618
Nov. 17,	Sewer from brick sewer to center of Washington street....	623
1886.		
Feb. 1,	Sewer in Third street (amendment).....	630

	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 3
June 7,	Sidewalk in Genesee and Third streets.....	10
Aug. 18,	Improvement of portion of Superior street.....	20
Aug. 18,	Improvement of portion of Ohio street.....	20
Aug. 18,	Sewer in Washington street.....	21
Sept. 4,	Harbor limits.....	23
Oct. 4,	Improvement of portion of Oak street.....	29
1887.		
July 23,	Relative to electric lights.....	96
July 30,	Numbering of lots and buildings.....	101
July 30,	Relative to electric lights.....	103
Aug. 6,	Amendment relative to electric lights.....	111
Sept. 3,	Improvement of portion of Fisher street.....	118
Sept. 28,	Relative to opening and closing saloons.....	123
Oct. 1,	Adoption of Davis sewer specifications.....	125
1888.		
Feb. 16,	Establishing harbor limits.....	156
Mar. 3,	Establishing harbor limits.....	160
June 6,	Improvement of portion of Hewitt avenue.....	202
June 11,	Sewer in Arch and Front streets.....	205
June 13,	Improvement of portion of Hampton street.....	206
July 2,	Sewer in Fourth street.....	213
July 2,	Improvement of portion of Hampton street.....	214
July 2,	Sewer in Arch and Front streets.....	215
July 2,	Improvement of portion of Fifth street.....	216
July 6,	Improvement of portion of Fifth street.....	219

1888.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 3
Nov. 16,	Street railways	256
Nov. 21,	Street railways.....	262
1889.		
April 26,	Grading Spring street	306
April 26,	Sewer in Ridge street	306
April 26,	Grading portion of Front street.....	307
April 26,	Sidewalks in Hewitt avenue.....	308
May 6,	Sewer in Fourth street	310
May 6,	Water power and electric light commissioners	313
May 10,	Grading Third street.....	318
May 10,	Treasurer of water power and electric light commissioners.	319
May 10,	Fire limits	320
June 3,	Issue of bonds	331
Aug. 5,	Water power and electric light	342
Aug. 5,	Grading portion of Pine street	343
Aug. 5,	Hawkers and peddlers.....	345
Aug. 16,	Improvement of portion of Pine street	351
Sept. 13,	Construction of trunk sewer.....	357
Sept. 27,	Grading portion of Jackson street	362
Oct. 7,	Grading portion of Division street.....	364
Oct. 18,	Grading portion of Ridge street.....	370
Nov. 18,	Issue of bonds	380
Dec. 9,	Amending telephone franchise.....	387
Dec. 9,	Amending ordinance relative to trunk sewer.....	389
1890.		
Jan. 6,	Water power and electric light	395
Jan. 6,	To amend ordinance for the prevention of coasting, skating or riding of dog sleighs.....	397
Feb. 3,	Railway tressels over Lake street.....	401
Feb. 3,	Issue of bonds	402
Feb. 10,	Issue of bonds.....	407
Mar. 3,	Dead River Railroad Company	414
April 2,	Grading portion of Fourth street	423
April 22,	Special election on issuing bonds.....	432
April 22,	Sewer in Arch street	435
May 5,	Amending ordinance relative to the grading, paving and im- provement of streets, etc.....	443
June 2,	Sewer in Michigan street	452
June 20,	Grading portion of Genessee street.....	459
June 20,	Grading portion of Alger street.....	461
July 7,	Issue of bonds.....	468
July 7,	Sidewalk in Lake street	471
July 14,	Street railway franchise	474
July 21,	Sidewalk in Jackson street.....	482
July 21,	Grading portion of Seymour avenue	482
July 21,	Grading portion of Lincoln avenue	483
Aug. 4,	Grading portion of Ohio street	486
Aug. 18,	Sewer in Michigan street.....	492
Sept. 24,	Grading portion of Park street.....	502
Sept. 24,	Sewer in Hewitt avenue.....	503

1890.	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 3
Sept. 24,	Grading portion of Front street.....	504
Nov. 3,	Grading portion of Arch street.....	512
Nov. 3,	Sewer in Spruce street.....	513
Nov. 17,	Grading portion of High street.....	521
1891.		
Jan. 5,	Grading portion of Fair avenue.....	529
Jan. 5,	Sewer in Washington street.....	530
Jan. 5,	House sewer connections and drainage.....	531
May 4,	Improvement of portion of Morton street.....	572
May 4,	Improvement of portion of Washington street.....	573
May 4,	Improvement of portion of Third street.....	573
May 5,	Improvement of portion of Fifth street.....	579
May 20,	Repealing improvement of Third street.....	580
June 15,	Improvement, Arch street (amendment).....	596
June 15,	Sewer in Lincoln avenue.....	598
June 15,	Improvement of portion of Crescent street.....	599
June 15,	Changing grade of High street.....	600
June 15,	Improvement of portion of Adams street.....	600
July 13,	Sewer in Front street.....	608
July 17,	Protection of public parks, cemeteries and grounds.....	612
July 17,	Use of bicycles, tricycles, velocipedes, etc.....	614
Aug. 3,	Sidewalks on Fifth street.....	625
Sept. 7,	Sidewalk on Fourth street.....	634
Sept. 21,	Sewer in Front street.....	637
Sept. 21,	Improvement of portion of Prospect street.....	638
1891	PROCEEDINGS OF COMMON COUNCIL.....	LIB. 4
Nov. 23,	Sewer in Prospect street.....	10
Nov. 23,	Trunk sewer.....	11
Dec. 7,	Vacating and abolishing a portion of Jackson street.....	16
Dec. 7,	Improving Jackson street.....	16
1892.		
Feb. 15,	Sewer in Third, Michigan, Arch and Front streets.....	33
March 7,	Burial of the dead.....	36
1891.	BOOK OF ORDINANCES.....	VOL. 1
Mar. 8,	Relative to ordinances.....	1
Mar. 8,	Meetings and proceedings of the common council.....	1
Mar. 8,	Auctioneers.....	6
Mar. 8,	Hawkers and peddlers.....	8
Mar. 12,	Relative to public entertainments.....	3
May 2,	Repealing dray license.....	9
May 2,	Establishing pounds.....	9
May 16,	Sewers in Crescent, Third and Prospect streets.....	10
June 22,	Prospect street improvement.....	12
June 22,	Harrison street improvement.....	13
July 11,	Altamont street improvement.....	14
July 11,	Crescent street improvement.....	15
July 11,	Division street sidewalks.....	16

1891.	BOOK OF ORDINANCES.....	VOL. 1
July 11,	Washington street sidewalks.....	17
July 18,	Sewer in Ohio street.....	19
Aug. 15,	Water power and electric plant etc.....	20
Sept. 8,	Cholera and cholerine.....	23
Sept. 19,	Pounds.....	24
Oct. 3,	Pounds, etc.....	25
Dec. 6,	Superior street sewer.....	26
1893.		
Mar. 6,	Amending ordinance relative to the grading, paving and im- provements of streets, etc.....	27
April 6,	Remitting penalties on special assessments.....	28
April 28,	City engineer and his duties.....	29
April 28,	Pounds.....	31
June 5,	Special election on issue of bonds.....	31
June 5,	Widening of a portion of Washington street.....	33
June 5,	Widening portion of Third street.....	33
June 12,	Pounds, etc.....	34
Aug. 7,	Issue of city hall bonds.....	40
Aug. 7,	Paving Front street.....	41
Aug. 7,	City scales and weighmaster.....	42
Aug. 7,	Sale of hay, grain, coal and wood.....	43
Aug. 7,	Sealing of weights and measures.....	45
Sept. 5,	City scales and weighmaster (amendment).....	47
Sept. 5,	Sidewalk in Jackson street.....	48
Sept. 5,	Sidewalk in Washington street.....	49
Nov. 22,	Public peace and good order.....	50
1894.		
Mar. 5,	Collection of special assessments.....	51
Mar. 5,	Sewer in High street.....	53
Mar. 5,	Sewer in Ohio street.....	54
May 7,	Public health.....	55
Aug. 6,	Sewer in High street.....	59
1895.		
Mar. 4,	Telephone franchise.....	60
April 23,	Meetings and proceeding of the common council (amendment)	61
June 3,	Preferring and trying charges against officers.....	62
July 8,	Establishing pounds.....	65
Sept. 3,	Amending sections one to ten inclusive of ordinance regu- lating the construction of sidewalks, etc.....	65
Nov. 4,	Changing the name of McMillan street to Division street...	69
Nov. 4,	Changing the name of Hendrie street to Blemhuber avenue.	70
Nov. 4,	Amending section sixteen of ordinance relative to the grad- ing, paving and improvement of streets, etc.....	70
1896.		
Feb. 3,	Amending section two of ordinance relative to the sale of lands for delinquent assessments.....	72
Feb. 11,	Railway approach and bridge over Presque Isle drive and grade of street.....	73
May 4,	Establishing pounds.....	74

1896.	BOOK OF ORDINANCES.....	VOL. 1
June 8,	To prohibit the reckless exposure of persons to injury in connection with street railway cars and the stealing of rides on such cars.....	75
June 17,	Remitting interest upon special assessments.....	76
July 6,	Use of bicycles, tricycles velocipedes, motorcycles, etc.....	77
Aug. 3,	Remitting interest upon special assessments.....	78
Aug. 7,	Sanitary condition of barber shops.....	79
Sept. 8,	Amending section three of ordinance defining the duties of fire warden, etc.....	81
Sept. 8,	Amending sections two, seven, nine and ten of ordinance relative to the fire limits.....	81
1897.		
May 3,	Establishing a pound.....	83
May 3,	Relative to opening and closing saloons.....	84
May 3,	Appointment and confirmation of city officers.....	84
July 6,	Voting and elections upon borrowing money.....	86
July 15,	Accepting the Marquette monument.....	88
Oct. 4,	Repealing ordinance relative to the disposition of the dead..	89
Nov. 1,	Repealing ordinances relating to—(1) Building line on Blaker and Ridge streets. (2) Ordinances. (3) Drays, hay and wood market. (4) Poll tax.....	90
Nov. 1,	An ordinance relative to the burial and removal of the dead.	90
1898.		
Feb. 7,	Repealing ordinances relating to—(1) City scales and weigh-masters. (2) Sale of hay, etc. (3) Sealing of weights and measures. (4) Establishing pounds. (5) Establishing pounds.....	92
Feb. 21,	Amending Secs. 7, 8, 9 and 10 of ordinance relating to grading, etc., of streets.....	93
Feb. 21,	Amending Secs. 5 and 6 of ordinance relative to police.....	94
Feb. 21,	Amending ordinance relative to fire limits, etc.....	96
Mar. 7,	Amending ordinance relative to nuisances.....	98
Mar. 7,	Relative to public health.....	99
Apr. 25,	Adopting rules of parliamentary practice.....	104
Apr. 25,	Prohibiting the use of overloaded vehicles.....	104
Apr. 25,	Relative to police.....	105
Apr. 25,	Defining offenses, prescribing penalties and providing for the employment of offenders.....	106

NUMBER, TITLES AND DATES OF ADOPTION OF
THE "GENERAL ORDINANCES OF THE
CITY OF MARQUETTE."

AS COMPILED AND PUBLISHED IN 1873 AND IN 1887.

No.	TITLE AND DATE OF ADOPTION.
1	An ordinance concerning ordinances. April 4, 1872.
2	An ordinance for the appointment of a street commissioner and defining his duties. May 22, 1871.
3	An ordinance relative to the grading, paving and improvement of streets, alleys and public places, and the use and protection thereof. June 1, 1871.
4	An ordinance regulating the construction of sidewalks, providing for the collection of assessments therefor, and prohibiting encroachments thereon. May 29, 1871.
5	An ordinance relative to the sale of lands for delinquent assessments and redemption thereof. April 4, 1872.
6	An ordinance providing for the organization of a city police. April 4, 1872.
7	An ordinance relative to a pound, poundmaster, and restraining animals. June 1, 1871.
8	An ordinance for the preservation of the public health, and creating a board of health and defining its duties. June 1, 1871.
9	An ordinance respecting the public park and city cemetery, and providing for the appointment of a park and cemetery commissioner. April 4, 1872.
10	An ordinance relative to the prevention of vice and immorality and the preservation of public peace and good order, July 17, 1871.
11	An ordinance relative to nuisances. June 1, 1871.
12	An ordinance relative to the fire limits, and the construction of buildings therein. April 4, 1872.
13	An ordinance defining the duties of fire warden, and for the protection of property from danger by fire. April 4, 1872.
14	An ordinance respecting public lamps and lamp posts. June 1, 1871.
15	An ordinance relative to drays and other vehicles. April 4, 1872.

No.	TITLE AND DATE OF ADOPTION.
16	An ordinance relative to licenses for shows, circuses and other exhibitions. April 4, 1872.
17	An ordinance relative to hawkers, peddlers and transient traders. April 4, 1872.
18	An ordinance relative to auctioneers. April 4, 1872.
19	An ordinance relative to the harbor of Marquette. September 30, 1872.
20	An ordinance repealing certain ordinances heretofore adopted by the village of Marquette. April 4, 1872.

In addition to the foregoing, the compilation of 1887 contained the following ordinances not numbered:

An ordinance against the use of sling shots. Dec. 3, 1883.

An ordinance for the prevention of coasting, skating or riding on dog sleighs. Dec. 3, 1883.

An ordinance granting a telephone franchise. June 5, 1882.

An ordinance to regulate the blowing of steam whistles within the city limits. June 5, 1882.

An ordinance relative to drays and establishing a hay and wood market. June 22, 1874.



MARBLE STATUE OF
JACQUES MARQUETTE,
IN STATUARY HALL, WASHINGTON, D. C.
(See Page 172.)

THE CHARTER

OF THE

CITY OF MARQUETTE.

IN FORCE 1898.

Being Act No. 249 of the Local Acts of Michigan of the year 1891, entitled "An Act to amend and revise the Charter of the City of Marquette, Marquette County", as amended by Acts No. 323 and 393 of the Local Acts of 1893; Act No. 409 of the Local Acts of 1895; and Act approved March 18, 1897.

SECTION 1.—*The People of the State of Michigan enact,* That an Act entitled "An Act to incorporate the City of Marquette," approved February twenty-seventh, one thousand eight hundred and seventy-one, and the Acts amendatory thereof, be revised and amended so as to read as follows:

CHAPTER I.

OF THE CORPORATION.

§ 1—SEC. 1. The corporation heretofore created and now known as the City of Marquette. shall be and continue to be a body politic and corporate under the name and style of the City of Marquette, and by that name may sue and be sued both in courts of law and of equity, may have a common seal and alter the same at pleasure, may take, hold, purchase, have, convey and dispose of any real or personal estate for the use of the corporation, and in addition to such powers of a local legislative and administrative character as are conferred by this act, may exercise and enjoy such implied and incidental powers and rights as are possessed by municipal corporations in this State.

Body corporate.
Subject to general law.

Am. 1893.

Territory
incorporated.

§ 2—SEC. 2. The territory embraced in and constituting said city shall be fractional section one, fractional section two, the southeast quarter of section eight, the southwest quarter, west half of southeast quarter, southeast quarter of the southeast quarter of section nine, the south half of the south half of section ten, fractional sections eleven, thirteen and fourteen, sections fifteen and twenty-two, the northeast quarter of the northeast quarter of section twenty-one, fractional sections twenty-three, twenty-four and twenty-six, sections twenty-seven, thirty-four, thirty-five and fractional section thirty-six in town forty-eight north of range twenty-five west. [See Act No. 393 of 1893, below.]

[ACT NO. 393 OF THE LOCAL ACTS OF 1893.]

AN ACT to detach certain land from the City of Marquette in the County of Marquette, and attach the same to the Township of Marquette in the said County of Marquette.

SECTION 1. *The People of the State of Michigan enact*, That the west half of the northwest quarter of section eleven of township forty-eight north of range twenty-five west, be and the same is hereby detached from the City of Marquette in the County of Marquette, and the same is hereby attached to and made a part of the Township of Marquette in the said County of Marquette.

This Act is ordered to take immediate effect.

Approved May 23, 1893.

CHAPTER II.

WARDS.

§ 3—SEC. 1. The said City shall be divided into eight wards, as follows:

First ward. The first ward shall embrace all that portion of said city lying south of a line drawn from the shore of Lake Superior westwardly along the center of Fisher street to the western boundary of said city; the second ward shall embrace all that portion of said city lying between last mentioned line and a line drawn from said lake shore westwardly along the line of the Duluth, South Shore & Atlantic railroad, from said railroad company's merchandise pier to the center of fifth street, and thence southwardly along the center of said fifth street to the center of Fisher street; the third ward shall embrace all that portion of said city lying north of said line of said railroad and east of the center of Front street from said railroad track to the center of Hewitt avenue; the fourth ward shall embrace all that portion of said city lying between said railroad track and Ridge street and between Front street and Fifth street; the fifth ward shall embrace all that portion of said city lying between Ridge street on the north and Fisher street on the south, and extending westwardly from Fifth street to the western boundary of said city, including the northeast quarter of the northeast quarter of section twenty-one; the sixth ward shall embrace all that portion of said city lying between Ridge street and Hewitt avenue, and west of Front street to the east line of

Second ward.

Third ward.

Fourth ward.

Fifth ward.

Sixth ward.

section twenty-one; the seventh ward shall embrace all that ^{Seventh ward} portion of said city lying north of Hewitt avenue and west of the following line, viz: Along Front street to Fair avenue, thence west on Fair avenue to the west eighth line of section fourteen, thence north on said eighth line to the boundary of said city; the eighth ward shall embrace all that portion of said ^{Eighth ward.} city lying north of Hewitt avenue and east of the last described line.

CHAPTER III.

ELECTORS AND REGISTRATION.

§ 4—SEC. 1. The inhabitants of the city having the qualifica- ^{Electors.} tions of electors under the constitution of the State, and no others, shall be electors therein. [See note.]

§ 5—SEC. 5. Every elector shall vote in the ward where he ^{Residence.} shall have resided during the ten days next preceding the day of election. The residence of any elector, not being a householder, nor member of a householder's family, shall be deemed to be in the ward in which he regularly lodges. [See note.]

NOTE TO SEC. 4. WHO MAY VOTE. The elective franchise in Michigan is confined to male persons twenty-one years of age and over, except that by some special statutes, women citizens of full age are entitled to vote for school officers. [See section 206 a.] Such persons only can vote who come within one or the other of the following classes:

I. Citizens of the United States, whether native or naturalized.

II. Persons of foreign birth who resided in the State on the 24th day of June, 1885.

III. Persons of foreign birth who resided in the State on the 1st day of January, 1850.

IV. Persons of foreign birth who resided in the State two years and six months prior to November 8, 1894, and declared their intention two years and six months before that day.

V. Civilized persons of Indian descent, born in the United States, and not members of any tribe.

A right of suffrage acquired under the 2d, 3d and 4th clauses above, does not confer the right upon sons.

But no person can vote who has not resided in the State six months, and in the ward twenty days preceding the election. Electors must also be registered, except for school elections.

CITIZENSHIP. Citizenship consists of:

I. Persons born in the United States, and subject to the jurisdiction thereof.

II. Persons born in a foreign country and lawfully naturalized.

III. Women born in a foreign country and now the wife or widow of a citizen.

IV. Children born in a foreign country whose parents were citizens of the United States at the time.

V. Minor children of foreign birth, dwelling in the United States at the time of the naturalization of their parents, if coming to the country before the age of sixteen.

This defines citizenship generally, although it may be qualified by various circumstances.

NOTE TO SEC 5. RESIDENCE. There is no general statute in Michigan defining residence. The temporary residence of one's family elsewhere does not affect his domicile, and a person may acquire a residence and right to vote at a place other than where his family resides, if such be

Who to constitute a board of registration.

§ 6—SEC. 3. (*As Amended 1893.*) The aldermen of each ward shall constitute the board of registration therein. If by reason of a change of boundary of any ward, or the formation of a new ward, or any cause, there shall not be any or a sufficient number of aldermen representing such ward to constitute a board of registration of two persons, the common council shall supply the vacancy, or appoint a board of registration for the ward. The council shall, at the request of any alderman at any meeting prior to the day of registration, appoint some voter of the ward as a member of the board of registration in place of said alderman; and in case an alderman cannot serve, and no member in his place has been appointed by the council, he may designate a voter of said ward to fill his place, and if he fails to do so the other member of said board shall appoint some voter of the ward to act as a member of said board, such appointments to be in writing and filed with the recorder. Said appointees shall take the constitutional oath of office before entering upon their duties of registration. No person shall be refused registration except by decision of both members of the board concurring in rejecting the same.

General law to govern registration. Proviso.

§ 7—SEC. 4. (*As Amended 1893.*) Except as in this Act it is otherwise provided, the general law of the State shall govern as to all matters relating to the registration of electors: *Provided*, That it shall be necessary to give only three days' notice of registration and the place of holding the same, in all wards, and five days' notice of election at the present spring election to be held April third, one thousand eight hundred and ninety-three; but on all other elections thereafter the notice shall be as otherwise provided in the statute.

When wards rearranged or changed boards of registration to meet and give notice of meeting.

§ 8—SEC. 5. (*As Amended 1893.*) When changes shall be made in any ward or wards, or a new ward shall be formed in whole or in part from the territory of other wards, the boards of registration of the respective wards affected by the change shall meet previous to the time prescribed by law for giving notice of their sessions preceding the next election, and the name of each registered elector known to have been transferred by such change from one ward to another or to the new ward shall be copied into the register of the ward to which the elector was transferred by the change, and marked "Removed" upon the register of the ward from which the elector was transferred by the change.

his intention. (33 Mich. 252.) An elector does not gain or lose a residence while in the employ of the United States or of this State, nor while employed as a sailor, nor while a student at any seminary of learning, nor while kept at any almshouse or asylum at public expense, nor while confined in any prison. (Constitution of Mich., Art. 7, Sec 5, 97 Mich., 361.) The provision for ten days residence in a ward was made prior to the change in the constitution extending the period of residence to twenty days. The elector must have resided in the ward twenty days (formerly ten days) "next preceding" the election. If he removes from the ward where he may have acquired a residence, although registered there, into another ward, within the twenty days, he loses his vote.

§ 9—SEC. 6. (*As Amended 1893.*) When a new ward shall be formed the board of registration thereof at its session next preceding the next election therein shall make or complete a new register of the electors residing therein, and for that purpose shall remain in session three days; and notice of the formation of such ward, and that a new register of the electors will be made at that session shall be given with the notice required by law to be given of such session of the board.

When a new ward is formed a new register to be made.

§ 10—SEC. 7. (*As Amended 1893.*) The boards of registration in said city, at their sessions previous to the general election in November, in the year one thousand eight hundred and ninety-four, shall make a re-registration of the qualified electors of their respective wards in books of the form provided by law. The same rules shall be observed in such registration as are provided by law for the registration of electors in cities, and a like re-registration of the electors of each ward shall be made at the session of the board next preceding the general election, in the year one thousand eight hundred and ninety-eight, and every fourth year thereafter. When such new registry shall be made the names of persons known to the board of registration to be electors may be copied therein from the former registry of electors. No person shall vote at any election in such ward after such re-registration unless his name shall be registered in such new register. Notice that such re-registration is required to be made shall be given with the notice of the meeting or session of the board at which it is to be made.

Registration to be made in eighteen hundred and ninety-four.

Notice of registration.

§ 11—SEC. 8. (*As Amended 1893.*) The name of no person shall be knowingly placed by any person upon the registration list of any ward whose name is upon the register of electors of any other ward of said city, and not canceled or marked therein to indicate removal; and no person shall knowingly apply for or procure the registration of his own name or the name of any other person upon the register of electors of any ward when said name is upon the register of electors of any other ward and not cancelled or marked thereon to indicate removal.

Unlawful to register certain names.

CHAPTER IV.

OF OFFICERS.

§ 12—SEC. 1. (*As Amended 1893.*) The following officers of the corporation shall be elected annually by the qualified electors of the whole city voting in their respective wards, viz: One mayor, one treasurer, one recorder, two constables, and such number of justices of the peace as may be required by section eight of this chapter. There shall also be elected at said election, by the qualified electors of each ward, on a ward ticket, one supervisor and one alderman: *Provided*, That at the annual election to be held in said city on the first Monday in April, eighteen hundred and ninety-three, there shall be elected in the

Election of officers.

Number of aldermen to be elected.

first, second and third wards, one alderman for each of said wards, who shall hold his office for the term of two years, and there shall be elected in the fourth, fifth, sixth, seventh and eighth wards of said city, for each of said wards, one alderman, who shall hold his office for the term of one year, and one alderman, who shall hold his office for the term of two years; and at each annual election thereafter there shall be elected, in each of the wards of said city, one alderman, who shall hold his office for the term of two years: *Provided*, That the aldermen now in office shall continue in office for the remainder of the terms for which they were elected, as aldermen for the wards in which they reside, after this act shall go into effect.

Proviso.

Officers appointed by the mayor.

Council to provide by ordinance for additional appointments by mayor.

§ 13—SEC. 2. (*As Amended 1893.*) The following officers shall be appointed by the mayor and confirmed by the common council on or before the first Monday in May in each year, viz, One controller, who shall be assessor of the city; one marshal; one one street commissioner; one city attorney; one health officer, who shall be a competent and reputable registered physician, and who shall be the city physician; one park commissioner; one cemetery commissioner; one harbor master; one or more fire wardens for the city; a president of the council, who shall preside at all meetings of the common council in the absence of the mayor; and then at such other times as may be required the mayor shall appoint such other officers, not herein otherwise provided for, as may be necessary to carry into effect the powers herein granted, and as the common council may from time to time direct and approve. The common council may also from time to time provide by ordinance for the appointment by the mayor for such term as may be provided in the ordinance, of a city engineer or such other officers, whose election or appointment is not herein [specifically] specially provided for, as the common council shall deem necessary for the execution of the powers granted by this act, and may remove the same at pleasure. The powers and duties of such officers shall be prescribed by ordinance.

Eligibility to office.

Vacancies.

Present officers to continue.

Terms of office.

§ 14—SEC. 3. No person shall be eligible to either of said offices unless he shall then be an elector and resident of said city, nor shall he be eligible to any such office of any ward unless he shall then be an elector and resident of such ward; and when any officer elected or appointed for the city shall cease to reside in said city, or if elected or appointed for any ward shall cease to reside in such ward, his office shall thereby become vacant.

§ 15—SEC. 4. All the officers of the city of Marquette, residing and holding office therein at the time this Act shall take effect shall hold their respective offices for the term for which they were elected the same as though this Act had not been passed.

§ 16—SEC. 5. (*As Amended 1895.*) The mayor, treasurer, recorder, supervisors and constables shall hold their offices for the term of one year from the first Monday in April of the year when elected, and until their successors are qualified and enter upon the duties of their offices. The controller, marshal, street

commissioner, city attorney, health officer and harbor master shall hold their offices from the time when appointed until the fifteenth day of April of the next year thereafter, and until their successors are appointed and enter upon the duties of their offices.

§ 17—SEC. 6. The justices of the peace shall hold their offices ^{Justices of the peace.} for the term of four years from the fourth day of July next after their election.

§ 18—SEC. 7. (*As Amended 1893.*) The aldermen shall hold ^{Terms of office of aldermen.} their offices for the term of two years from the first Monday in April in the year when elected, and until their successors are elected and qualified and enter upon the duties of their offices, except when elected for short terms or to fill vacancies as herein otherwise provided.

§ 19—SEC. 8. (*As Amended 1893.*) At the annual election to be ^{Election of Justices of the peace, terms of office} held in said city on the first Monday in April in the year one thousand eight hundred and ninety-six there shall be elected one justice of the peace for the term ending four years from and after the fourth day of July next thereafter, and one justice of the peace for the term ending three years from and after the fourth day of July next thereafter, and said last named justice shall be deemed to have been elected to fill a vacancy, and at each annual election thereafter there shall be elected such number of justices of the peace as shall be necessary to fill the vacancies then existing, or to arise within the ensuing year by the expiration of the term for which the incumbents were elected.

CHAPTER V.

ELECTIONS.

§ 20—SEC. 1. (*As Amended 1893.*) The annual city election shall be held on the first Monday of April in each year, at such ^{Elections, where held.} places in each of the several wards as the common council shall designate, notice of which shall be given by the recorder at least ten days before the election, by posting the same in three places ^{Notices of election to be posted and published.} in said wards, or by publishing the same in some newspaper printed in said city: *Provided*, That five days' notice of the election of eighteen hundred and ninety-three shall be sufficient. The supervisor and aldermen, together with a sufficient number of other electors of the said wards, to be selected *viva voce* by the electors present at the opening of the polls, as may be required by the general election laws of the State to make a full board of election inspectors, shall be inspectors of such elections, and they shall be inspectors of the State, district, county and all other elections, and they shall appoint two suitable persons to act as clerks thereof, and in the case of the absence of one or both of such inspectors, the electors may choose, *viva voce* from ^{Inspectors of election, who to constitute.} their number, one or more to fill such vacancies, ^{Vacancies, how filled.} to whom as well as to the clerks appointed as aforesaid shall be administered

Certification of election.	the constitutional oath by either of said inspectors, or by any justice of the peace or notary public. At such charter elections the said ward inspectors shall make one certificate of the number of votes given for each person for the several offices to be filled in and for the said city, and also one certificate of the officers elected in and for their ward, which certificate shall be immediately filed in the office of the recorder of said city. Upon the Thursday next following the day of said election the common council shall meet at the office of said recorder and thereupon determine who, by the greatest number of votes given in the several wards at such election, are duly elected to fill the respective city offices; and it shall be the duty of said recorder immediately after such determination to cause notice to be given to each of the persons elected of their election. Each of said officers so elect and notified, except justices of the peace, shall, within ten days thereafter, take and subscribe the constitutional oath of office before any person authorized to administer oaths, and shall deliver the same to said recorder, who shall file the same in his office: <i>Provided</i> , That in the case of the election of any one or more justices of the peace the said recorder shall make a certificate thereof and cause it to be delivered to the county clerk, in the same manner as is required of township clerks. The controller, treasurer and marshal shall, before entering upon the discharge of their duties, give such security as the common council shall direct and approve; and in case any of the officers so elected shall neglect for the term of ten days to qualify as aforesaid or to give security, the office shall thereby become vacant.
Common council to meet and determine who elected to office.	
Notice to persons elected.	
Oath of office.	
Pr. viso.	
Powers of board of election.	§ 21—SEC. 2. The board of election in each ward, at elections held therein, shall possess all the powers not inconsistent with this Act that boards of election in townships possesses under and in pursuance of the laws of this State, and in all matters not otherwise provided for in this Act, the laws of this State applicable to the holding of township meetings shall apply to the holding of annual elections held under this Act, and all the laws of this State not inconsistent with this Act, applicable to the holding of general elections in the townships of this State, shall apply to the holding of general elections in the several wards of said city. The common council of said city shall provide suitable boxes for each ward with locks and keys to be used as ballot boxes in such ward.
General laws to apply.	
Ballot boxes.	
Who deemed elected.	§ 22—SEC. 3. The person receiving the greatest number of votes for any office in said city or ward shall be deemed duly elected to such office, and if any officers shall not have been chosen by reason of two or more candidates having received an equal num-

NOTE TO SEC. 20. No person shall act as such inspector who is a candidate for any office to be elected by ballot at said election. [Act 202, 1893.]

NOTE TO SEC. 21. CHAIRMAN OF BOARD. The general law provides that when the supervisor shall be one of the board, he shall be chairman thereof, but if he be absent, such one of their number as the inspectors shall designate, shall be chairman.

ber of votes for the same office, the inspectors of election in case of ward officers, and the common council in case of "city" officers, shall determine by lot which of the several persons so receiving the highest number of votes shall be declared elected. If notice of any election shall not be given as herein required If notice has not been given. it shall be lawful for the electors to meet at the proper time and at the place of the last election, and hold the election, and may thence adjourn if necessary to some other place, as in township elections, and in case of the non-attendance or neglect of proper officers to act, the electors present may, *viva [voce]* *voice* [choose] chose inspectors to act in their places: *Provided*, Proviso. That if any election of officers under this Act shall not be held on the day provided for by this Act, [the] said corporation shall not, for that cause, be dissolved, but it shall be lawful to hold such [election] elections at any time thereafter, public notice thereof being given as provided in this act for special elections, and the incumbents of the several offices at the time when such election should have been held, shall continue to hold their respective offices until their successors are so elected and have qualified.

CHAPTER VI.

VACANCIES IN OFFICE, WHEN THEY EXIST, HOW FILLED, ETC.

§ 23—SEC. 1. Every office shall become vacant on the happening of either of the following events before the expiration of the term of such office: The death of the incumbent, his resignation, his removal from office, his ceasing to be an inhabitant of the city or ward for which he shall have been elected or appointed, or within which the duties of his office are required to be discharged, his conviction of any infamous crime, or of any offense involving the violation of his oath of office, the decision of a competent tribunal declaring void his election or appointment, or his refusal or neglect to take his oath of office, or to give or render any official bond, or to deposit such oath or bond in the manner and within the time prescribed by law: *Provided*, Proviso. That in case any vacancy shall occur in the office of any justice of the peace in said city by the operation of this Act, the recorder shall immediately transmit to the county clerk of said county a notice in writing, officially signed by him, informing the county clerk that the office of such justice of the peace is vacant.

§ 24—SEC. 2. When any such vacancies occur in any of the offices which are appointed by the mayor and confirmed by the common council either by death, resignation, removal of the incumbent, or otherwise, such vacancy may be filled by appointment for the remainder of the unexpired term for which said officer was appointed, in the manner herein provided for such offices. Vacancies filled by appointment.

§ 25—SEC. 3. (*As Amended 1895.*) Whenever a vacancy occurs in the office of alderman, the common council of said city shall Of aldermen, by special election.

immediately appoint a special election to be held in the ward for which said officer was chosen, at some suitable place therein, not less than five days or more than fifteen days from the time of such appointment, and for any such special election five days' notice of the election and of the meeting of the board of registration shall be sufficient: *Provided*, That in case any such vacancy shall occur in said office of alderman within three months before the first Monday of April of any year, it shall be optional with the common council to order a special election or not, as they may deem expedient.

Proviso. § 26—SEC. 4. In case any vacancy shall occur in any of the offices in this Act declared to be elective or appointive, except alderman and justice of the peace, the mayor by and with the consent of the common council may, in his discretion, fill such vacancy by the appointment of a suitable person who is an elector, and if appointed for a ward, who is also a resident of the ward for which he shall be appointed; and any officer appointed to fill a vacancy shall hold by virtue of such appointment until his successor is elected or appointed, as the case may be, and qualified.

Certain vacancy, how filled. § 27—SEC. 5. Whenever a special election is to be held, the common council shall direct the recorder to give notice of the time and place of holding such election, in the same manner as is herein required for giving notice of annual elections and the proceedings of such special election shall be the same, as near as may be, as the annual city election.

Special election, notice of.

CHAPTER VII.

OF THE POWERS OF THE COMMON COUNCIL.

Power and duty of common council. § 28—SEC. 1. (*As Amended 1895.*) The mayor and aldermen, when assembled together and organized, shall constitute the common council of the city of Marquette, and a majority of the whole shall be necessary to constitute a quorum for the transaction of business, but a less number may adjourn from time to time, and the common council may be summoned to hold their meetings at such time as the mayor or, in case of his absence or inability to act, the president may appoint, at such place as shall have been designated as the council room by the common council. The common council shall have power to impose, levy and collect such fines as they may deem proper, not exceeding five dollars, for the non-attendance at any meeting of any officer of the corporation who has been duly notified to attend the same. In case of the absence of the mayor and president at any such meeting, the members present may appoint some one of their members to preside. Each member of the common council shall be entitled to one vote, except the mayor, who shall only be entitled to vote when there is a tie vote in the common council, or when his vote would change the result. The common council, in addition to the powers and duties specially

Quorum

In absence of mayor, who may preside at meetings.

Council to have control of finances.

conferred upon them in this act, shall have the management and control the finances, rights and interests, buildings, and all property, real and personal, belonging to the city, except as in this charter is otherwise provided, and may dispose of the same, and make such rules and by-laws relating to the same as they may deem proper and necessary: *Provided*, That all resolutions of the common council involving the expenditure of public moneys shall be approved by the mayor, or other person performing for the time-being the duties of his office, but such resolutions shall stand as approved unless the mayor, within five days from the passage of such resolutions, shall file with the city recorder a written statement expressing his disapproval of the resolution and giving his reasons therefor. After the filing of objections to such resolution by the mayor as aforesaid said resolution may only be passed and re-enacted by a two-thirds vote of all the aldermen elect; they shall have power within said city to enact, continue, establish, enforce, annul, amend, and repeal such ordinances, by-laws, rules and regulations as they may deem desirable for the following purposes:

First, To prevent vice and immorality, to preserve public peace and good order, to organize, maintain and regulate a police of the city when necessary, and to define the powers and duties of such police or any police officers; to prevent and quell riots, disturbances and disorderly assemblies; Vice and immorality.

Second, To prevent and restrain disorderly and gaming houses, and houses of ill fame, to prevent the exhibition or use of any and all instruments and devices used in gaming, and to prohibit all gaming and fraudulent devices, and restrain and prohibit all billiard tables kept for gaming purposes; Disorderly houses.

Third, To forbid and prevent the vending, giving away, or other disposition of liquors and intoxicating drinks to any drunkard, minor or other persons in the habit of getting intoxicated, to prohibit the opening of any drinking saloon, bar, or place where intoxicating drinks are or may be kept, billiard rooms, tenpin alleys, or place of public recreation or amusement on the first day of the week, commonly called Sunday; and to prohibit, restrain and regulate the sale of all goods, wares and personal property at auction or public outcry, except in cases of sales authorized by law, and fix the fees to be paid by and to auctioneers; Intoxicating liquors.
Auction Sales.

Fourth, To prohibit, restrain, license and regulate all sports, exhibitions of natural or artificial curiosities, caravans or animals, theatrical exhibitions, circuses or other public performances or exhibitions for money; Sports, exhibitions and shows.

Fifth, To abate or remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow chandler shop, butcher's stall, soap factory, tannery, stable, privy, hog pen, sewers or other offensive or unwholesome place or house, to clean, purify, remove or abate the same from time to time, Nuisances.

as often as they may deem necessary for the health, comfort and convenience of the inhabitants of said city;

Slaughter
houses.

Sixth, To direct or prohibit the location of all slaughter houses, markets and buildings for storing gunpowder or other combustible or explosive materials or substances within the limits of said city;

Dangerous or
expl. sive
materials.

Seventh, Concerning the buying, carrying, selling and using of gunpowder or other combustible or explosive materials, and the exhibition of fireworks, the use of lights in barns, stables and other buildings, and to regulate or prohibit the discharge of firearms within the limits of the city, or making of bonfires in the streets or yards;

Incumbran-
ces of streets
and public
places.

Eighth, To prevent the encumbering of streets, sidewalks, crosswalks, lanes, alleys, bridges, or other public places in any manner whatever;

Horse racing
or immoder-
ate driving.

Ninth, To prevent and punish horse racing, and immoderate driving or riding in any street, alley or public park or ground, and to authorize the stopping and detaining any person who shall be guilty of immoderate driving or riding in any street, alley or public park or ground in said city;

Routes of
street rail-
ways.

Tenth, To determine and designate by name the streets upon which any street railways shall hereafter be laid in said city, before the same may be laid therein, and the routes and grades of any railroad to be laid in said city, before the same may be laid therein: *Provided*, That this subdivision of section one shall not affect or change charter or contract rights heretofore granted. And to restrain and regulate the use of locomotives, engines, motors and cars upon the railroads and street railways within the city, and to compel the use of such precautions against accidents on said street railways and at street crossings upon such railroads and street railways, as they may deem necessary;

Purity of
water.

Eleventh, To provide for and preserve the purity and salubrity of the waters of Marquette harbor, and the streams emptying therein; to prohibit and prevent the depositing therein of all filth and other matter tending to render said water impure, unwholesome or offensive; to preserve and regulate the navigation of said harbor; to prohibit and prevent the depositing or keeping therein any structure, earth or substance tending to obstruct or impair the navigation thereof, and remove all obstructions that may at any time occur therein, and to direct and regulate the stationing, anchoring and mooring of vessels, and laying out of cargoes and ballast for the same. The harbor of the City of Marquette is hereby defined and declared to be embraced within the following limits, viz: Commencing at a point on the shore of Lake Superior where the west boundary of said city strikes the shore; thence north one mile; thence east on a line to the point therein intersected by a line drawn north from the point where the south boundary of the city strikes the shore of Lake Superior; thence southerly on said line to said last mentioned point on said shore; thence northerly along the

To preserve
navigation.

Harbor de-
fined, bound-
aries of.

line of said shore, following the meandering thereof to the place of beginning; and any offense committed against the laws and ordinances of the City of Marquette, within said limits, shall be deemed and considered as having been committed within the limits of the City of Marquette;

Twelfth, To restrain and punish drunkards, vagrants, street beggars, and all disorderly persons or keepers of gaming or disorderly houses, or other houses in which drunkards or boisterous persons are allowed to congregate and disturb the peace, or in which any crime or misdemeanor shall be committed by the knowledge or consent of the occupant of such house; Vagrants and drunkards.

Thirteenth, To establish, maintain and regulate one or more pounds in said city, and to prohibit, restrain or regulate the running at large of horses, cattle, sheep, swine, or other animals, geese or poultry, and authorize the impounding and sale of the same for the penalty incurred and the cost of keeping, impounding and other expenses; to punish the breaking of any pound, or any unlawful interference therewith, and to make all such by-laws, ordinances, rules and regulations in relation to such pound or pounds, and the advertising and selling of the animals, geese or poultry therein impounded, as they may deem necessary, or as may be advisable for the purpose of perfecting the title of any property sold in conformity with any ordinance or by-law, and for preserving the evidence and declaring the legal effect of any and all evidence of any such sale or sales, and no court other than the circuit court for the county of Marquette, or the courts held in said city, shall have any jurisdiction of any action of replevin or any action against any poundmaster of said city, for, or on account of any animal, or animals, geese or poultry impounded, or for or on account of any act done by any such poundmaster in pursuance of any power or duty conferred by any by law or ordinance passed by the common council of said city; Selling of animals impounded.

Fourteenth, To prevent or regulate the running at large of dogs, to impose taxes on the owners of dogs, and to prevent dog fights in the streets; Dogs.

Fifteenth, To prohibit any person from bringing or depositing within the limits of said city, any dead carcass, or other unwholesome or offensive substances; to require the removal or destruction thereof; if any person shall have on his or her premises any such substance or any putrid meats, fish, hides, or any skins of any kind, and on his or her default, to authorize the removal or destruction thereof by some officer of the city, and to provide for ascertaining the expenses thereof, and collecting the same from the person in default; Dead carcasses. Unsound meats.

Sixteenth, To compel all persons in such part or parts of the city as the common council may deem proper, to keep sidewalks in front of premises owned or occupied by them clear from snow, ice, dirt, wood or obstructions; but the city shall never be liable for any damage sustained by any person in consequence Sidewalks.

of the neglect of any person to keep any such sidewalk clear from snow, ice, dirt, wood or other obstructions;

Ringling of bells and crying of goods. *Seventeenth,* To regulate the ringing of bells and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises in the streets;

Prescribe powers and duties of officers. *Eighteenth,* To prescribe the powers and duty of all the officers of said city, except as herein otherwise provided, and their compensation and the fines and penalties for their delinquencies;

Cemetery. *Nineteenth,* To purchase suitable grounds for cemetery purposes, survey and divide the same, in such form and manner as they may deem proper; fix and determine price of burial lots, sell and convey the same, ornament, fence and improve such cemetery or any burial ground now in the city, and enlarge the same; regulate the burial of the dead; preserve tombstones and monuments; and exercise a general control over all burial places in said city; and all burial grounds now belonging to the township of Marquette, and located within said city, shall vest in and belong to said city for burial purposes; to purchase and hold for the city suitable grounds for one or more public parks; improve and ornament the same, make suitable regulations for their use, and provide for the proper care of the same.

Paupers. *Twentieth,* To provide for the protection and care of paupers and to prohibit and prevent all persons from bringing to the city, from any other place, any pauper or other person likely to become a charge upon said city, and to punish therefor, and to return any such person so brought to the city to the place from whence he came or to which he properly belongs;

Markets. *Twenty-first,* To establish, order and regulate markets; to regulate the vending of wood, hay, meat, vegetables, fruits and provisions of all kinds and prescribe the time and place of selling the same, and the fees to be paid by butchers for license; to prohibit the sale of unwholesome meat, poultry, fish, vegetables or other articles of food or provisions, impure, spurious or adulterated wine, spirituous liquors or beer, or knowingly keeping or offering the same for sale: *Provided,* That nothing herein contained shall authorize the common council to restrict in any way the sale of fresh and wholesome meats by the quarter within the limits of the city;

To establish building lines. *Twenty-second,* To regulate and establish the line upon which buildings may be erected upon any street, land or alley in said city, and to compel such buildings to be erected upon such line, by a fine upon the owner thereof, not exceeding five hundred dollars for each offense;

Fire districts. *Twenty-third,* To establish fire districts, within which no wooden building, except such as shall be authorized by the common council, shall be removed, built, repaired, enlarged, placed or allowed to stand or remain;

Duty of appointive officers. *Twenty-fourth,* To prescribe the duties of all officers appointed by the mayor, and their compensation, and the pen-

alties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided by law;

Twenty-fifth, To license hawkers, peddlers and pawnbrokers, and hawking and peddling, and to regulate or license the sale or peddling of goods, wares, merchandise, refreshments or any kind of property or thing by persons going about from place to place in the city for that purpose, or from any stand, cart, vehicle or other device in the streets, highways, or in or upon the wharves, docks, open places or spaces, public grounds or buildings in the city, or from boats in the harbor; all persons selling goods within said city, by sample and by hawking and carrying such samples for exhibition from house to house and agreeing to deliver such goods at some future time to be paid for upon installments or otherwise, shall be deemed hawkers and peddlers within the meaning of this chapter; to require a license fee not exceeding one hundred dollars to be paid by every person, firm or corporation engaging in the retailing and merchandising of any class or kind of goods, wares or merchandise in said city;

To license hawkers, peddlers and pawn brokers

Who shall be deemed peddlers.

Twenty-sixth, To license and regulate wharfs, boats, and to regulate the use of tugs, and other boats as used in and about the harbor and within the jurisdiction of the city;

Wharf boats.

Twenty-seventh, To regulate and license all taverns and houses of public entertainment, all saloons, restaurants and eating houses; to designate, by ordinance, bounds, limits and districts in the said city, within which the business of vending, selling, or having for sale, spirituous, vinous, malt or brewed liquors, or any other intoxicating liquors or mixtures thereof, shall be conducted and carried on, and to prohibit the vending, selling and furnishing intoxicating liquors, or admixtures thereof, except within the districts and limits in said ordinance appointed and limited for the sale thereof, and may provide for punishment for any violation of such ordinance;

To license saloons, taverns, restaurants, etc.

Twenty-eighth, To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, flour, meat and other provisions;

Inspectors of meats.

Twenty-ninth, To regulate the inspection, weighing and measuring of brick, lumber, firewood, coal, hay, and other articles of merchandise, and to provide for the inspection and sealing of weights and measures, and to prescribe the penalty for using false weights and measures;

Weights and measures.

Thirtieth, To provide for the inspection of buildings and the safety of their construction, condition and repair, and to license plumbers and regulate the plumbing of buildings;

Inspectors of buildings.

Thirty-first, To direct and regulate the construction of cellars, slips, barns, private drains, sinks and privies, and to compel the owner or occupant to fill up, drain, cleanse, alter, relay or repair the same or to cause the same to be done by some proper officer of the corporation, and to assess the expense

To regulate the construction of drains.

thereof on the lot or premises having such cellar, slip, barn, private drain, sink or privy thereon;

Vehicles.

Thirty-second. To license and regulate all vehicles of every kind used for the transportation of persons or property for hire in the city, also all solicitors for passengers or for baggage for any hotel, tavern, public house, boat or railroad; and to prescribe and designate the stands of carriages of all kinds which carry persons for hire, and carts and carters, and to prescribe the rates of fare and charges;

Census.

Thirty-third. To provide for taking the census of the inhabitants of the city whenever the council shall see fit to direct and regulate the same;

Shade trees.

Thirty-fourth. To regulate and require the setting of shade trees in the streets of said city and provide for the preservation of the same: *Provided,* That until the common council or

Proviso.

street commissioner shall determine the distance trees shall be set from the margin of any street or highway, the same may be set at not less than six nor more than ten feet from the margin thereof.

To enact ordinances for the good government of the city.

Thirty-fifth. The common council shall have authority to enact all ordinances and to make all such regulations, consistent with the laws and constitution of the State, as they may deem necessary for the safety, order and good government of the city, and the general welfare of the inhabitants thereof; but no exclusive rights, privileges or permits shall be granted by the council to any person or persons, or to any corporation for any purpose whatever; nor shall any rights, privileges or franchises be granted to any person, firm or corporation, without the concurrence of two-thirds of all the members elect of the common council voting by yeas and nays, nor until the same has been so passed at two meetings of the common council, at least two weeks intervening between the same, one of which said meetings shall be a regular stated meeting; and any such rights, privileges or franchises may be rescinded at the pleasure of the common council;

Franchises, two-thirds vote required.

Fines and penalties for violating ordinances.

Thirty-sixth. For the purpose of carrying into effect the powers conferred by this act, the common council shall have power to prescribe in [any] and by-law or ordinance made by them that the persons offending against the same shall forfeit and pay such fine as they deem proper, not exceeding one hundred dollars, or by imprisonment in the county jail or in the city jail for a term not exceeding three months, except as herein otherwise expressly provided, or both such fine and imprisonment in the discretion of the court who shall try the offender.

SEC. 2. (No such section).

Prescribing and remitting license fees.

§ 29—SEC. 29. (*As Amended 1893*). The council may prescribe the terms and conditions upon which licenses may be granted, and may exact and require payment of such reasonable sum for any licenses as they may deem proper, and may remit license fees in specific cases, in their discretion, by a vote of the majority of the aldermen elect, at any regular meeting.

§ 30—SEC. 4. No license shall be granted for any term beyond the first Monday in June next thereafter, nor shall any license be transferable. And the common council may provide for punishment by fine or imprisonment, or both, of any person, who, without license, shall exercise any occupation, or trade, or do anything for or in respect to which any license shall be required by any ordinance or regulation of the council.

Terms of license.

§ 31—SEC. 5. All sums received for licenses granted for any purpose by the city or under its authority, shall be paid into the city treasury to the credit of the contingent fund.

License money to be paid into treasury.

§ 32—SEC. 6. (*As Amended 1893*). The common council may ascertain, establish and settle the boundaries of all streets and alleys in the said city, and prevent and remove all encroachments thereon, and exercise all other powers conferred on them by this act in relation to highways, the levying of taxes and all other subjects of municipal regulation not herein expressly provided. No plat or subdivision of any lands in the city into building lots or other parcels thereof shall be presented for his approval to the Auditor General of the State, or for record in the office of the register of deeds for the county of Marquette, until the same shall be made to conform to the general plan of the streets of the city, and streets shall be laid out thereon in conformity with said general plan; nor shall any such plat be so offered for approval or record or be approved or recorded until the same shall have been submitted to the common council for their approval, and such changes therein shall have been made as the common council shall direct, nor until the said plat shall have been approved by the common council as being in compliance with provisions of this section.

Powers relative to streets.

Plats to be approved by council.

§ 33—SEC. 7. (*As Amended 1895*). The common council shall have power to assess, levy and collect taxes for the purposes of the corporation upon all property made taxable by law for State purposes, which taxes shall be liens upon the property taxed until paid; to appropriate money, provide for the payment of the debt and expenses of the city and make regulations concerning the same; to employ all persons confined for the non-payment of any fine, penalty, forfeiture or costs, or for any offense under this act or any ordinance of the common council, in any jail, workhouse or prison, at work or labor either within or without the same, or upon any street or public work under the control of the common council; to allow any person thus confined for the non-payment of any fine, penalty, forfeiture or costs to pay and discharge the same by such work and labor, and to fix the value and price of such work and labor. The common council shall have power to make all such other by-laws, ordinances and regulations as they may deem necessary for the good government of said city. The common council shall have power to direct and compel the treasurer of the city of Marquette to deposit all moneys, bonds, papers and evidences of value in any bank or banks that may be named by the common council; and to contract with any such bank or

Power of council to assess, levy and collect taxes.

To appropriate money.

Power to make other by-laws.

Treasurer to deposit in bank all money, bonds and valuable papers.

banks for the safe keeping of all public moneys and for the receipt of interest at a rate not exceeding eight per cent per annum, upon such moneys of the corporation deposited with such bank or banks, and to be drawn on account current from such bank or banks by the corporation or proper officer thereof, and such interest shall belong and be credited to the general fund: *Provided*, That when the common council has directed the treasurer to deposit said money with any bank or banks, such bank or banks shall give a bond to the city, with sureties in number and in amount to be approved by the common council, sufficient to protect the city from loss.

Proviso.

Council to have power to direct the line for sewers, drains, etc.

§ 34—SEC. 8. (*As Amended 1893.*) The common council shall have the power to direct sewers, drains and vaults, and lateral sewers therefrom in the streets to the lines of the lots and parcels of land abutting on said streets, and arches and bridges, wells, pumps and reservoirs, to be built in any part of said city; to establish, open, widen, extend, straighten, alter, vacate and abolish highways, streets, avenues, lanes, alleys and public grounds or spaces within said city; and to grade, pave, repair and otherwise improve the highways, streets, avenues, lanes, alleys, or interior public spaces created by the intersection of streets, also cross-walks and sidewalks in said city, with stone, wood, brick and other material, and whenever necessary for those purposes, to condemn private property as hereinafter provided; and the common council shall have full power and authority to provide for paying all the costs and expenses of all such improvements as in this section they are authorized to direct, make and construct by assessment upon the property benefited thereby, in the manner hereinafter provided, which assessment shall be a lien until paid, on the lots or premises on which the same are assessed, and shall be collected as hereinafter provided: *Provided*, That the action of the common council heretofore had in directing and constructing in the streets of the city any such sewers and drains, as is herein authorized, and all proceedings based and had thereon, are hereby declared to be of the same force and effect as though this section had been in effect at the time of such action and proceedings.

Council to have power to pay expenses for certain improvements.

Proviso.

Power of council to compel owners of lands to pave, plank, curb, etc., when properly graded.

§ 35—SEC. 9 (*As Amended 1893.*) The common council shall also have full power to require by resolution or ordinance, the owners or occupants of lands, at their own expense, to repair, construct, make, pave, plank or gravel and curb, and rail all sidewalks adjoining said land after the same shall have been properly graded, within such reasonable time as they may direct, notice of which action shall be given to the owners or occupants of such lands in such manner as they shall direct, and if the same are not completed within the time so ordered it shall be lawful for the common council to cause the same to be constructed forthwith, and to assess the expense thereof upon the premises in front of which the same are constructed, in such manner as they shall determine, which assessment shall be a lien

until paid, on the lots or premises on which the same are assessed, and shall be collected as hereinafter provided for the collection of other special assessments.

§ 36—SEC. 10. (*As Amended 1893.*) The common council may provide for the immediate repair of cross-walks and side-walks, and for collecting the cost and expense thereof, in such manner as they may deem proper, subject to the restrictions herein contained, and they may determine the time and manner of assessing and collecting all highway taxes, and all other taxes except as herein otherwise provided, and they may enact such general by-laws or ordinances in relation to the assessing and collecting of all such taxes not inconsistent with the constitution of this State or of the United States, as they may deem just and proper, and ordain and make such taxes a lien until paid, upon the lots or premises on which the same are assessed, and all by-laws or ordinances, rules or regulations adopted by the common council, by or in pursuance of any of the powers, conferred upon them in this act, shall be binding upon all courts and in all places whatsoever.

Council to provide for the repair of cross-walks.

§ 37—SEC. 11. It shall be the duty of the common council to cause such of the streets and highways in said city as shall have been used for six years or more as public highways and streets, and which are not sufficiently described, or have not been duly recorded, to be ascertained, described, and recorded in the office of the recorder of said city, in the book of street records; and the record of such highways, streets, lanes, or public grounds so ascertained and described, or which shall hereafter be laid out and established by the said common council and recorded in the book of street records, in the office of the clerk, by order of the common council, shall be presumptive evidence of the existence of such highway, street, lane, alley, or public ground therein described.

Record of public highways.

§ 38—SEC. 12. On the second Tuesday in the month of March in each year, the common council shall audit and settle the accounts of the city treasurer, and the accounts of all other officers and persons having claims against the city, or accounts with it, and shall make out a statement in detail of the receipts and expenditures of the corporation during the preceding year, in which statement shall be clearly and distinctly specified the several items of expenditure made by the common council, the objects and purposes for which the same were made, and the amount of money expended under each; the amount of taxes raised for the general contingent expenses; the amount raised for lighting and watching the city; the amount of highway taxes and assessments; the amount of assessments for opening, paving, planking, repairing and altering streets, and building and repairing bridges; the amount borrowed on the credit of the city, and the terms on which the same was obtained, and such other information as shall be necessary to a full understanding of the financial [concerns] condition of said city.

To audit accounts of treasurer, etc.

Detailed statement.

Statement to
be published.

§ 39—SEC. 13. (*As Amended 1897.*) The said statement shall be signed by the mayor and recorder and filed with the papers of the city; and the same shall be published previous to the fourth Tuesday of March thereafter at the expense of the city, in some newspaper to be designated by the common council.

Style of
ordinances.

§ 40—SEC. 14. (*As Amended 1893.*) The style of all ordinances shall be "The city of Marquette ordains." The sitting of the common council shall be public, except upon demand of a member thereof seconded by one-fourth of all the aldermen in office, the council shall go into committee of the whole in private session for consideration of appointments to office, from which sessions all persons other than the mayor and aldermen shall be excluded; but no officer shall be appointed or confirmed in any such sessions. The controller, marshal, city attorney, street commissioner, health officer, and city engineer, if there be one, and such other officers as the common council shall determine shall have like seats in the common council as are provided for aldermen, and may take part in all its proceedings and deliberations on all subjects relating to their departments, subject to such rules as the common council shall from time to time prescribe, but without the right to vote. Said officers may be required to attend the meetings of the council in the same manner as members thereof. All sittings of the common council, except when in committee of the whole, as in this section provided, shall be public, and full minutes of the proceedings thereof, together with all ordinances, by-laws, regulations and motions adopted, shall be published within ten days after such sitting in at least one newspaper published in said city.

Who entitled
to seats in
common
council.

Required to
attend
meetings.

Council may
borrow money
for municipal
improve-
ments.

§ 41—SEC. 15. (*As Amended 1893.*) To enable the common council to build or repair bridges, or make any other public improvement, and fully and effectually carry out and perform any and all powers conferred upon them by this act, they may borrow money for municipal improvements, or for the general purposes of the city, at a rate of interest not exceeding seven per cent per annum, and issue the bonds of the city therefor, signed by the mayor and recorder and countersigned by the controller, but no money shall be borrowed for a longer period than ten years, nor shall the amount of money thus borrowed exceed the sum of ten thousand dollars in a single year, and if the common council shall deem it necessary to borrow more money for municipal purposes or improvements, or for the purchase of property for municipal purposes than is above provided for, or to purchase and donate, or to aid in the purchasing of a site or sites for any State, educational, reformatory or benevolent institution or institutions, to be located in or in proximity to the city, or to aid in the construction of the same, or of a county court house or jail, which they may do when thereto authorized by a vote of the electors, as herein provided,

Limit of
amount.

the question of raising such loan shall be submitted to the qualified electors of said city at some annual or special election called for that purpose, and if a majority of such electors voting at such election shall be in favor of such loan, the common council shall proceed to make such loan and issue the bonds of the city therefor as above provided; but before any loan of money shall be authorized by a vote of such electors of said city, written or printed notices shall be posted by the recorder in at least two public places in each ward for thirty days, and such recorder shall cause notice to be published in some newspaper printed in said city for the same period, specifying the object or objects for which money is proposed to be borrowed. The common council may provide by ordinance the manner of voting upon any question of borrowing money, but the votes shall be canvassed and the result certified and determined in the same manner as the results of other votes are canvassed by the provisions of this act: *Provided*, That the total indebtedness of the city for borrowed money, exclusive of sums borrowed by direction and for the use of the board of water and fire commissioners of said city, and sums borrowed for water power and electric lighting purposes, shall never exceed in amount a sum equal to five per centum of the aggregate of the last annual assessment roll of the taxable property in said city: *And provided further*, That the twenty-five thousand dollars in bonds issued by the board of water and fire commissioners under the provisions of act number two hundred and forty of the local acts of the legislature of the State of Michigan of the year eighteen hundred and ninety-one, are hereby declared to be valid and of full force and effect, anything herein or in the act of which this act is amendatory to the contrary notwithstanding.

Questions of loans to be submitted to electors.

When loan authorized, council to issue bonds.

Proviso.

Further proviso.

§ 42—SEC. 16. Whenever any money shall be borrowed by the common council by authority from the electors of said city, the bonds shall be signed by the mayor and recorder; and all deeds of land sold by the common council shall be executed by the mayor and recorder, and, when duly acknowledged by them, may be recorded as other conveyances, and with like effect.

Bonds.

§ 43—SEC. 17. No ordinance of the common council imposing a fine or imprisonment shall take effect until the same shall be published in some newspaper printed and published and circulated in said city for two successive weeks: *Provided*, That all ordinances in force in said city at the passage of this Act, and not inconsistent herewith, shall be and remain in full force until amended or repealed by the common council.

Certain ordinance to be published.

Proviso.

§ 44—SEC. 18. All by-laws, regulations, resolutions and ordinances may be proved in the manner provided by an Act, entitled "An Act to provide for proving the by-laws, ordinances and resolutions of incorporated cities and villages in certain cases," approved March eighteenth, in the year of our Lord one thousand eight hundred and sixty-five, being section 7527 of Howell's Statutes.

How proved.

§ 45—SEC. 19. The common council may prevent and punish injury to property, etc.

the riding or driving of any beast or team upon any sidewalk, or the doing of any act injurious or dangerous to any of the property of said city, or of the property of any of the inhabitants thereof, or which shall be dangerous to the life or health of any of the inhabitants of said city, and whenever by this act the common council are given any power, they may adopt by-laws or ordinances, rules and regulations, relative thereto.

Fiscal year. § 46—SEC. 20. The fiscal year of said city shall begin on the second Tuesday in March.

Members of common council not to be interested in contracts with city. § 47—SEC. 21. (*As Amended 1893.*) No member of the council, or any officers of the corporation, shall be interested, directly or indirectly, in the profits of any contract, job, work or services, other than official services to be performed for the corporation. Any member of the council, or officer of said city, herein specified, offending against the provisions of this section, shall upon conviction thereof, be fined not less than one hundred

Penalty. nor more than one thousand dollars, or be imprisoned in the county jail not less than one or more than six months, or both in the discretion of the court, and shall forfeit his office, which shall be deemed to be vacant from the time of such conviction.

Removal from office by common council. § 48—SEC. 22. (*As Amended 1893.*) Any person appointed to office by the mayor or council by authority of this charter, may be removed therefrom by a vote of the majority of the aldermen elect; and the council may expel any alderman or remove from any office any person elected thereto, by a concurring vote of two-thirds of all the aldermen elect: *Provided,*

Proviso. That provision shall made, by ordinance, for preferring charges and trying the same; and no removal of any officer shall be made unless a charge in writing is preferred, and an opportunity given to make a defense thereto.

Investigating committees may issue subpoenas to compel attendance. § 49—SEC. 23. (*As Amended 1893.*) To enable the council or committees thereof to investigate charges against any officer or such other matters as they may deem proper to investigate, the mayor and chairmen of committees charged by the council with any investigation are hereby empowered to issue subpoenas or process by warrant to compel the attendance of persons and the production of books and papers before the council or any committee thereof.

Chairman shall have power to administer the necessary oath. § 50—SEC. 24. (*As Amended 1893.*) Whenever the council, or any committee of the members thereof are authorized to compel the attendance of witnesses for the investigation of matters which may come before them, the presiding officer of the council or chairman of such committee for the time being shall have power to administer the necessary oaths; and such council or committee shall have the same power to compel the witnesses to testify as is conferred by law on courts of justices of the peace.

CHAPTER VIII.

[*Entire Chapter New 1893.*]

APPROPRIATION OF PRIVATE PROPERTY.

§ 51—SEC. 1. Private property may be appropriated for public use, for the purpose of opening, widening, altering and extending streets, alleys and avenues; and for construction of bridges, for public buildings and structures, for public grounds, parks, market places and spaces, for public wharves, docks, slips, basins and landings on navigable waters, and for the improvement of water courses; for vaults, sewers, drains and ditches, for public water-works, electric, gas and steam plants, for hospitals, pest-houses and public cemeteries, and to lay through private property public sewers, water, steam and gas pipes and electric conduits, but such property shall not be taken therefor without the consent of the owner unless the necessity of the proposed improvement and the necessity for using such property and the just compensation to be made therefor shall be determined by a jury of twelve freeholders as hereinafter provided; nor shall any improvements, requiring the taking of private property, be made, except with the concurrence of two-thirds of all the aldermen elected to office. The council may, however, acquire such property by negotiation and purchase, in which case said improvements may be ordered by a majority vote of said aldermen.

Appropriation of private property for public use.

Compensation for property to be determined by jury.

§ 52—SEC. 2. When the common council shall deem it necessary to make any public improvement requiring the taking or using of private property not acquired by purchase, they shall so declare by resolution, describing the proposed improvement, and each parcel of land designed to be taken by metes and bounds, giving the names of the owners or persons interested therein so far as known to them, and shall, in the same resolution, direct the city attorney to institute proceedings in the circuit court for the county of Marquette to carry out the objects of such resolution.

When council shall deem necessary for the taking of private property, they shall declare by resolution.

§ 53—SEC. 3. Upon the passage of such resolution, a certified copy thereof shall be furnished by the recorder to the city attorney. Upon receiving from the recorder said certified copy of said resolution, it shall be the duty of the city attorney to file, in the name of the city, in the circuit court for the county of Marquette, a petition which shall allege the passage of the said resolution and contain a copy thereof; shall describe all the lots, tracts and parcels of private property proposed to be taken, and all lots, tracts or parcels of which the same are a portion; shall set forth the names of the owners, occupants and others interested in said parcels of land respectively so far as the same can be ascertained, as respondents. The petition shall allege that it is deemed by said common council necessary to take and use said property for the public use and benefit, and shall

Copy of resolution to be furnished city attorney.

Jury to be impaneled to appraise damages and fix compensation.

Clerk of court
to issue sum-
mons against
respondents.

In case of
minors, etc.,
court to
appoint a
guardian.

Summons to
be served by
sheriff or
constable.

When not
found, copy of
summons to
be left at
residence.

Impanelling
of jury.

pray that a jury be impaneled to determine such necessity, the damage sustained and just compensation to be paid therefor. Such petition shall be verified by the city attorney, or some person having knowledge of the facts, and shall be filed in said court at least thirty days before the first day of a regular term thereof. Upon receiving such petition it shall be the duty of the clerk of the said court to issue a summons against the respondents named in said petition and all other persons interested, stating the object of the petition, and if said petition shall have been so filed thirty days before the first day of the next term of said court, commanding them in the name of the people of the State of Michigan to appear before said court on the first day of the next term thereof, otherwise so commanding them to appear on the first day of the term of said court following the said next term thereof, or before the circuit judge at chambers at such time as he shall appoint, not less than thirty days after the filing of the petition, and to show cause, if any they have, why the prayer of the petitioner shall not be granted. And when it shall appear to the court by said petition, or otherwise, that any of the owners of said property sought to be taken as aforesaid are infants under the age of twenty-one years, or insane or otherwise legally incompetent to appear in person, the court shall appoint some suitable person to act as guardian *ad litem* to appear for said infants, insane or otherwise incompetent persons in said proceeding.

§ 54—SEC. 4. Said summons shall be served by the sheriff or any constable of said county at least five days before the return day thereof, if the respondents, or any of them, be found in the county, it shall be served by exhibiting to each of them the original summons and delivering a copy thereof, but if the respondents, or any of them, cannot be found in said county, it shall be served by leaving a copy at their respective residences, if any they have within the county, with some person of suitable age and discretion, and service upon all other respondents or persons shall be made by publishing a copy of said summons in one of the newspapers in said county at least eight days before the return day thereof named in said summons, and by posting a copy of said advertisement in some conspicuous place upon each of the parcels of land proposed to be taken, and named in said petition, at least one week before the return day named in said summons. The return of the officer of service of said summons, and affidavit showing the posting of said notices, and affidavit showing due publication of said summons shall be filed with the clerk of said court before a jury shall be impaneled.

§ 55—SEC. 5. The said jury shall be composed of disinterested freeholders of said county, to be impaneled and shall be impaneled as follows: The sheriff or such constable of said county as the court or judge shall direct, upon said return day, or such other day thereafter as the court or the judge thereof shall direct, shall make a list of twenty-four disinterested freeholders of said county; and the city attorney and the respondents collectively

shall each have the right to strike six names from said list, and the twelve persons whose names remain thereon shall be summoned by a *venire*, issued by the clerk of said court and to be served by said sheriff, to attend said court at a time stated in said *venire*, to be determined by the court, to which time said proceedings shall be adjourned by the court. If the respondents refuse to strike any names from said list it shall be done by the circuit judge, and in case any of the said persons so summoned shall not attend at such adjourned time, or shall be excused for any cause, or shall be peremptorily challenged or set aside, the court shall require the said officer to summon immediately a sufficient number of competent freeholders of the county of Marquette until a panel of twelve freeholders shall be obtained. Each party and every person having any interest in the lands mentioned in the petition shall have a right to challenge any juror for cause, and the court shall determine as to the competency of the juror. The city shall be entitled to two peremptory challenges, and the said respondents collectively to three peremptory challenges. The practice and proceedings under this act, except as herein otherwise provided, relative to drawing, summoning and excusing jurors and talesmen, and imposing penalties for non-attendance, shall be the same as near as may be as the practice and proceedings of the circuit courts of this State relative to juries in civil cases. The fact of any of the jurors summoned or selected in said proceeding being a tax payer of the said city shall not disqualify him as a juror in the said proceedings, and no person who is especially interested in said proceedings, or who has property adjoining upon any lands proposed to be taken, or who is in any way specially affected by the proposed improvement, or by the said proceedings, shall be eligible to sit as a juror; and any person claiming an interest in any of the lands sought to be taken, though not named in said petition as an owner or party interested, may at any time during the said proceedings file with the court a statement of his interest in and a description of the property in respect to which he claims compensation, and shall thereupon be deemed as one of the respondents in said proceeding.

Right of parties interested in land to challenge juror.

Eligibility of jurors.

§ 56—Sec. 6. Such jury so impaneled shall be sworn to ascertain and determine the necessity of the proposed improvement, and of taking the parcel or several parcels of land sought to be taken for the purpose set forth in said petition, and if taken, to determine and award to each person entitled thereto the just compensation to be allowed for his or her interest in the land so taken; and, in the proper case hereinafter provided for, shall also be sworn to apportion the proper proportion of the total damages and compensation to be paid for the private property so taken together with the cost of private property acquired or to be acquired by purchase for said improvement, upon the lots and parcels of land within the assessment district established therefor liable to assessment in proportion to the benefits they shall severally receive.

Jury to determine necessity of improvement and award compensation

Jury to have copy of resolution, and map of location.

§ 57—SEC. 7. When the jury shall have been sworn, the city attorney shall deliver to them a copy of the said resolution of the council, and a map or plat of the proposed improvement showing the location of the parcels of land sought to be taken, and its position in relation to adjoining lands; and also in cases hereinafter provided for, the special roll, prepared as hereinafter provided, for the assessment of a portion of the cost and expense of said proposed improvement upon the lots and parcels of land specially benefitted by said improvement, the jury shall hear the proofs and allegations of the parties, the arguments of the counsel, and if ordered by the court, shall go to the place of the intended improvement in charge of an officer and examine the premises; and they shall be instructed as to their duties and the law of the case by the judge of the court, and shall retire under the charge of an officer, and render their verdict in the same manner as on the trial of an ordinary civil case.

Jury's verdict what to contain.

§ 58—SEC. 8. The jury shall determine in their verdict the necessity of said improvement, and the necessity for taking and using such private property for the public use and benefit; and they shall award to the owners of said property, so taken, such damages and compensation as they shall deem just; and, in the cases hereinafter provided for, they shall assess and apportion the proper proportion of the total damages and compensation to be paid for the private property so taken, together with the cost of private property acquired or to be acquired, by purchase for said improvement, upon the lots and parcels of land liable to assessment within the assessment district established therefor, as determined by the common council, as hereinafter provided, in proportion to the benefits they will severally receive.

Jury in retiring may take map or plat.

§ 59—SEC. 9. To assist the jury at arriving at their verdict, the court or judge may allow the jury, when they retire, to take with them the said map or plat of the proposed improvement, and of the said assessment district, if any, showing the location of all the property to be taken or assessed; and also the said district assessment roll hereinafter provided for, and may also submit to them a blank verdict, the form of which shall be settled and approved by the court or judge. The different descriptions of property, and the names of the occupants, owners and others interested therein may be inserted in said blank verdict under the direction of the court or judge before it is submitted to the jury.

When public improvement results in private or local benefits, assessment for costs.

§ 60—SEC. 10. When the common council shall deem it necessary to make any public improvement requiring the taking or using of private property, not wholly acquired by purchase, and in the opinion of the common council special and particular benefits will result from said improvement to any of the real estate of the city less than the whole thereof which is liable to assessment for local improvements, they shall so declare by resolution; and they shall determine and specify in said resolution what proportion of the entire cost and expense of said improvement, and of the cost of the private property purchased and to be pur-

chased and to be taken for said improvement, shall be paid out of any general funds of the city applicable to said improvement, or out of the money borrowed for municipal purposes, and what proportion of said total cost and expense, and of the said cost and expense of the real estate to be used therefor, shall be assessed on the lots and parcels of land to be specially and particularly benefited by said improvement.

§ 61—SEC. 11. For the purpose of determining what lots and parcels of real estate in the city will be specially and particularly benefited by said improvement, and on which said proportion of the cost and expense thereof to be assessed shall be assessed, the controller shall immediately establish and define a local assessment district which shall embrace all the lots and parcels of real estate in said city liable to assessment for local improvements, which in his opinion will receive special and particular benefit from said improvement, and shall make out a special district assessment roll, describing each of said lots and parcels of land within said district liable to assessment as aforesaid, showing the names of the owners and persons interested in the said lots and parcels respectively, so far as known, and with a sufficient description of each such lot and parcel of land, and so arranged that said roll may thereafter be used as a district assessment roll for spreading thereon of said proportion of said cost and expense of said improvement, when the same shall be determined, and so that items for the cost of the land may be used for said improvement, may be spread thereon separately from the remainder of said total cost and expense.

Local assessment district to be established and special assessment roll made.

§ 62—SEC. 12. On the completion of said roll the controller shall immediately submit the same to the common council, who may change the limits of said district or may order a new roll to be made by the controller embracing such lots and parcels of land as the common council shall determine will be specially and particularly benefitted by said improvement. The common council shall fix a day for the review, correction and confirmation of said roll, or ordering of a new roll; and the recorder shall give notice of at least six days by publication in some newspaper published in said city, or by hand-bills posted in at least ten conspicuous places within the said district that the common council will meet on a day and hour specified in said notice, to review, correct and confirm said roll, or order a new roll to be made; at which meeting all persons interested in any lots or parcels embraced in said district, or which would be embraced therein should the limits of said district be extended, may be heard thereon. If a quorum of the common council shall not be present at such meeting, or if a revision of such assessment roll cannot be completed thereat, or a new roll is ordered, said meeting may be adjourned from time to time for that purpose without further notice.

Roll to be submitted to council when completed.

§ 63—SEC. 13. When all needful revision and the correction of said roll has been made to the satisfaction of the common council, it shall by resolution confirm the same, and the limits of

Council to confirm roll.

said district shall not be thereafter changed thereon, and the proportion of the total cost and expense of said improvement, and of the cost of land therefor to be borne by the lots and parcels of real estate to be specially benefited thereby, as before determined, shall be assessed upon the lots and parcels of real estate liable to assessment in said district as herein provided.

City attorney
to proceed to
appropriation
of private
property.

§ 64—SEC. 14. When said roll is confirmed as aforesaid, the city attorney shall proceed as in other cases for the appropriation of private property for public use, by petition to the circuit court for the county of Marquette, making the persons interested in the lands in said district liable to assessment, so far as known, respondents; and like proceedings, as near as may be, shall be had in all respects as in said other cases provided for, except that said petition shall refer to the said action of the common council and controller in the making and confirming of said district assessment roll, and shall be accompanied with a certified copy of the proceedings of the common council in relation thereto, and of said roll, and except as herein otherwise provided.

Total costs to
be spread on
roll as appor-
tioned by jury

§ 65—SEC. 15. The jury shall also apportion and spread on any such district assessment roll the proper proportion of the total cost of acquiring by purchase or condemnation, or both, of all the real estate required and to be acquired for said improvement upon the lots and parcels of real estate within said district liable to assessment in a just and equitable manner, assessing upon each lot or parcel of real estate in said district its just proportion of said portion of said cost and expense according to their best judgment, having reference to the proportionate amount of benefit to be derived from such improvement by each of said lots or parcels of real estate, which proportion of said cost and expense so spread shall be and become a lien, until paid, against the several lots and parcels of land respectively, and shall be collected with the other amounts to be spread upon said roll in such manner as may be authorized by the general ordinances of said city, and in all subsequent assessments of any of the cost and expenses of said improvement on the lots and parcels of land in said district, said lots and parcels of land shall not be assessed or charged with any part of the cost of acquiring the land for such improvement, but the same shall be liable to assessment and shall be assessed on said roll or another roll in the same manner, as near as may be, as other special assessments are made, for the proper proportion of the total cost and expense of said improvement other than for the acquiring of land.

When part of
lot is taken,
jury to award
damage.

§ 66—SEC. 16. If only a part of any lot or parcel of land in said district shall be taken, the jury shall estimate and determine the whole damages occasioned thereby, and also the just amount to be charged against the remainder of said lot or parcel of land, as a portion of the special and particular benefit thereto of said improvement, the proper proportion of the cost of acquiring by purchase or condemnation, or both, of all the real estate

required, and to be acquired, for said improvement; and shall award as compensation for the taking of such part of said lot or parcel, such sum only as shall remain after deducting from the amount of said damages, so found by them, said portion of the said benefit; and in all subsequent assessments of any cost and expense of said improvement on the lots and parcels of land in said district liable to assessment, the said remainder of any such lot or parcel of land, a portion of which is so taken, shall not be assessed or charged with any part of the cost of acquiring the land for said improvement, but the same shall be liable to assessment the same as other lots and parcels of land in said district and shall be assessed on said roll or another roll in the same manner as other special assessments are made, for the proper proportion of the remainder of the total cost and expense of said improvement.

§ 67—SEC. 17. The verdict of the jury may be set aside by the court and a new trial ordered, in the same manner, and on the same grounds as in ordinary civil actions in the circuit courts of this State; and amendments, either in form or substance, of the petition, process or proceedings, may be allowed, when they will not interfere with the substantial rights of the parties. Rules of practice under this act may be adopted and promulgated by the supreme court of this State.

Verdict of jury may be set aside and new trial ordered.

§ 68—SEC. 18. Motions for a new trial or to arrest the proceedings shall be made within two days after the rendition of the verdict, unless further time is allowed by the court, and if no such motion is made, or being made is overruled, the court shall enter an order confirming the verdict of the jury; and such judgment of confirmation, unless reversed by the supreme court, shall be final and conclusive as to all persons interested therein. The damages and compensation assessed by the jury upon any lot or parcel of land shall be a lien thereon from the time of such confirmation until paid and satisfied.

Limit of time for motion for new trial.

§ 69—SEC. 19. The city or any person, considering himself aggrieved, may appeal from the judgment of the court confirming the verdict of the jury, by filing in writing with the clerk of said court a notice of such appeal within five days after the confirmation, and serving within the same time a copy thereof on the city attorney and filing a bond in said court, to be approved by the judge thereof, conditioned for the prosecution of said appeal and the payment of the damages assessed against and all costs that may be awarded against him, in case the judgment and confirmation of the court shall be affirmed: *Provided*, That the city shall not be required to execute a bond as a condition of taking such appeal.

Right of appeal.

§ 70—SEC. 20. In case of appeals as above it shall be the duty of the clerk of the court without delay to transmit to the supreme court a certified copy of all the files, records and proceedings in the case. And it shall be the duty of the judge of the court at the request of the appellant to settle and sign a case showing the testimony taken on the trial, the objec-

In case of appeal, clerk to furnish supreme court copy of files.

tions, rulings and exceptions concerning the same; and the instructions of the court to the jury, with the exceptions thereto, and the same shall be returned by the clerk as a part of the record in the case.

Action of supreme court.

§ 71—SEC. 21. The said appeal may be brought on for hearing at any term of the supreme court, and said court for any prejudicial error of law found in the record may affirm or reverse the proceedings and may grant a new trial. The said court shall allow the prevailing party his reasonable costs and expenses to be taxed, and all costs and expenses awarded to the city may be applied on and deducted from the damages and compensation, if any, to be paid to the appellant.

Duty of clerk of court below when verdict is confirmed.

§ 72—SEC. 22. When the verdict of the jury shall have been finally confirmed by the court and the time in which to take an appeal has expired, or if any appeal is taken, on the filing in the court below of a certified copy of the order of the supreme court affirming the judgment of confirmation, it shall be the duty [of the clerk] of the court below to transmit to the common council a certified copy of the petition, of the verdict of the jury and of the judgment of confirmation, and of the order, if any, assessing the costs and expenses; and thereupon the common council may by resolution direct the treasurer of such city to proceed to collect the benefits and costs and expenses assessed by the court and jury, in which case a certified copy of such resolution shall be annexed to the record transmitted by the clerk of the court, and the same shall then be delivered to such treasurer. If such assessments are not tendered or paid to the treasurer within sixty days after the passage of such resolution, he shall proceed to sell the property assessed in the same manner as is provided by law for the sale of real estate upon execution and with the same force and effect.

City treasurer to pay damages as awarded, and council to take possession of property.

§ 73—SEC. 23. Within six months after the confirmation of the verdict of the jury, or after the judgment of confirmation, shall, on appeal, be affirmed, the common council shall cause the city treasurer to pay or tender to the respective persons entitled to receive the same, the damages and compensation awarded for taking such private property, according to the verdict of the jury as finally confirmed; and in case any such person shall refuse the same, or be unknown, or be a non-resident of said city, or for any reason be incapacitated from receiving his amount, or the right thereto be disputed or doubtful, the common council may deposit the amount awarded in such case, with a statement of facts in relation thereto, in the city treasury, to the credit of the person or persons entitled thereto, and the same shall be paid on demand to any person entitled to receive it, taking a receipt therefor. Upon such payment, tender or deposit the common council may enter upon, take possession of, and convert such private property to the uses and purposes for which it was taken, with the appurtenances and the right to occupy the property sought to be used,

shall vest in the city, and the council may convert and use the same, and may remove all buildings, fences and other [obstructions] obstruction therefrom. The treasurer shall make a certificate, verified by his oath, showing his action in making such payment, tender, or deposit, and shall file the same with the recorder of said city, and it shall be *prima facie* evidence of the facts therein stated.

§ 74—SEC. 24. (*As Amended 1895.*) The expenses of the proceedings for the taking of private property for any improvement, including the compensation paid the jury and the costs of advertising, shall be embraced in and computed as part of the costs and expenses of any improvement in respect to which they were incurred, and shall be paid, apportioned and assessed therewith as are other items of said costs and expenses and as a part thereof, and the proper proportion of the total cost and expense of any such improvement, when determined, shall be by the controller levied and spread on said rolls upon the property in the said assessment district, in proportion, as near as may be, to the benefits received, according to the verdict of the jury; and the controller shall annex his warrant thereto, with the same effect as other assessment rolls of said city. Upon the completion of said assessment rolls and annexation of the warrant of the controller, the same shall be conclusively presumed by all courts and tribunals to be valid, and shall be *prima facie* evidence of the validity of the tax or assessment therein named against the person and the property therein named.

Expenses of proceedings.

Special assessment rolls.

§ 75—SEC. 25. Officers, jurors and witnesses in any proceedings under this act shall be entitled to receive from the city instituting the proceedings the same fees and compensation as are provided by law for similar services in an ordinary action at law in the circuit courts of this State.

Fees of officers, jurors and witnesses

§ 76—SEC. 26. The common council shall not have power to discontinue proceedings under this act after the rendition of the verdict of the jury, but they may direct the city attorney to move for a new trial, or to arrest the proceedings, or to take an appeal to the supreme court, and in any such case the same proceedings shall be taken as are hereinbefore prescribed in the case of like proceedings on the part of any respondent.

Council not to discontinue proceedings after verdict of jury.

§ 77—SEC. 27. In cases where the common council shall so direct, proceedings for the appropriation of private property for public use may be had under the provisions of chapter eighty-three of Howell's annotated statutes, as amended, with like effect as if no provision therefor had been made in this charter.

Private property may be taken according to statute.

CHAPTER IX.

OF THE POWERS AND DUTIES OF OFFICERS.

§ 78—SEC. 1. The mayor shall be chief executive officer of the city, and shall also be president of the common council, and

Mayor, power and duties of.

shall countersign all orders drawn upon the city treasurer, and see that all officers of said city faithfully comply with and discharge their official duties; that all laws pertaining to the municipal government of said city, and all ordinances and resolutions of the common council are faithfully observed. He shall have the same power as conservator of the peace within the limits of the city as any justice of the peace has, or may by law have; and to this end it may be lawful for him when any person shall, in his presence, be guilty of a breach of the peace, or a violation of any of the ordinances of the common council punishable by fine or imprisonment, to direct the marshal or other officer forthwith to apprehend such offender or offenders, and take him or them before a justice of the peace for said city who shall, without reasonable delay, proceed to the examination and trial of the party arrested. He shall have the power, and it shall be his duty, to preserve order and decorum in the council room during the session of the common council, and for this purpose may order any disorderly person to be arrested by the marshal or other peace officer, for disorderly or contemptuous conduct in his presence, which disorderly person may be imprisoned in the charge of the marshal for a period not exceeding twenty-four hours, as a penalty for such disorderly or contemptuous conduct. The mayor, as chief executive of the city, shall have power over the police officers of the city, consisting of the marshal and his assistants; and the mayor shall have the power to suspend the marshal, or any police officer of the city: *Provided*, In his judgment such officer is not faithfully performing the duties of his office; *And provided*, The said marshal or police officer shall fail to carry out the instructions of the said mayor, as to the arresting of offenders, or the enforcement of the laws as directed by the said mayor; such suspension to continue until the next regular or special meeting of the common council at the pleasure of the mayor; the mayor having the right to reinstate such officer, and to cancel such order of suspension before the meeting of the common council. The mayor shall submit to the common council at its next meeting the reasons for suspending said officer, and said suspension shall become a removal from office, unless the common council shall overrule the judgment of the mayor by a vote of a majority of its members.

Proviso.

Recorder,
powers and
duties of.

§ 79—SEC. 2. (*As Amended 1897.*) The recorder shall perform all the duties and have all the statutory powers of a township or city clerk, in respect to the filing and custody of all papers required to be filed, and the performance of all other statutory duties. He shall be the clerk of the common council, and shall keep a fair and accurate record of the proceedings of the common council, and a record of all claims allowed and disallowed by them. He shall draw and sign all orders on the treasurer for claims and accounts allowed by the common council, and shall keep an account, as near as may be, showing to which funds the same belong. He shall keep the corporate seal and all the documents, official bonds, oaths of office, papers, files and

records of the city not by this charter or the ordinances or the resolutions of the common council entrusted to some other officer. He shall countersign and register all licenses granted. He shall, when required, make and certify under the seal of the city copies of the papers and records filed and kept in his office, and such copies shall be evidence in all places of all matters therein contained to the same extent as the originals would be. He shall have authority to administer oaths and affirmations, and to take acknowledgements of deeds and other instruments in writing. In the discharge of all duties relative to matters coming within the jurisdiction or control of the common council, as clerk of said council and in keeping its records, the manner of performing said work, and in the performing of all other duties as clerk of said council, the recorder and his deputy shall be subject to the direction of the mayor and common council; and the recorder's office shall be open to the public daily from eight o'clock in the forenoon to twelve o'clock noon, and in the afternoon from one o'clock and thirty minutes to five o'clock, Sundays and legal holidays excepted.

§ 80—SEC. 3. (*As Amended 1892.*) It shall be the duty of the controller to keep financial accounts of the city corporation, to countersign all bonds, orders upon the treasurer, licenses, burial permits, cemetery deeds, and all evidences of deed and transfer of property which the common council or the city corporation, the board of water and fire commissioners, or the school board of school district number one of the city of Marquette, or other school districts of said city are authorized to issue or make, pledging the faith of said city.

Controller to keep financial accounts.

(a) He shall receive all accounts and demands against said city and all boards thereof, and school districts therein, examine them in detail, audit or allow such of them or such parts thereof as to the correctness of which he has no doubt, and which the claimant is willing to accept in full discharge thereof, file and number them as vouchers, with the date of their allowance and the funds out of which payable, and when so audited, settled, filed, dated and numbered, report the same to the common council, or board to which the same properly belongs, and when payment shall be duly authorized by the common council or board respectively, to countersign and register the orders drawn therefor upon the treasurer of the funds from which the same are payable. The said controller in auditing and examining such accounts shall have the power to issue subpoenas to procure the attendance of witnesses and examine such witnesses under oath, to be administered by him, relative to any account against said city or boards thereof, and may at all times have free access to and the right to examine all books, papers, vouchers and accounts of said city or boards thereof. He shall have power to administer oaths generally, and shall administer oaths of persons free of charge to all affidavits of claims against the city or boards thereof that may be required. No claims so audited shall be binding upon the city and any of its boards until approved by a majority vote of the com-

To receive accounts and demands.

To administer oaths.

Claims audited to be approved by council.

mon council, or the proper board of the city respectively; and no account or claim or demand except claims for established salaries shall be received for audit or allowance or be allowed by the common council, any of said boards or school districts, unless it shall be first presented to the controller accompanied by an affidavit of the person rendering it to the effect that he verily believes that the services or property therein charged for have been actually performed or delivered for the city or board, that the sums charged therefor are reasonable and just, and that to the best of his knowledge and belief no set-off exists nor payment has been made on account thereof, except such as are endorsed or referred to in such account or claim. Every such account shall exhibit in detail all the items making up the amount claimed and the true date of each. It shall be a sufficient defense in any court in any action or claim against the city or any of its boards, for the collection of any demand or claim, that it has never been presented to the controller verified as aforesaid, for allowance, or that the claim was presented without the affidavit aforesaid, and rejected for that reason; or that the action or proceeding was brought before the common council or board respectively had had a reasonable time to investigate and pass upon it.

To keep
record of
bonds.

(b) The controller shall keep a record of all bonds issued on the faith and credit of the city whether issued by authority of the common council, any of said boards or any school district of said city, with the number, amount and dates when issued, when payable, and all coupons attached thereto, and shall keep account in proper books of all such bonds and the bonded indebtedness for the information of the common council and of said boards and of the public. He shall also in like manner keep accounts of all funds, taxes, assessments, receipts and expenditures of said city and boards thereof, and school districts therein.

To advertise
and receive
proposals for
contracts.

(c) The controller shall advertise and receive proposals for all contracts for and on behalf of the city, except as in this charter otherwise provided, and report his action thereon to the common council. He shall sign all contracts and agreements on behalf of the city, except as in this charter otherwise provided, subject to the orders of the common council.

To keep
record of
officers and
employees of
city.

(d) He shall keep a record of all the officers and employes of the city and of said boards and school districts, and certify the pay rolls and wages of all such officers and persons to the common council and boards respectively. He shall be charged with the leasing, repairs, insurance and general supervision of the property of the city, under the direction of the common council, and for his information may require reports from all officers, boards and persons having any public property in charge or possession, and report upon the same when required by the council.

To supervise
financial con-
cerns of city.

(e) It shall be the duty of the controller to take and exercise the general supervision of the financial concerns of the corporation, to keep a complete set of books exhibiting the condition of

the said corporation in its various departments and funds, its resources and liabilities, with proper classification thereof of each fund or appropriation for any distinct part or expenditure, or class of expenditures. Whenever any such fund or appropriation has been exhausted by warrants already drawn thereon, or by appropriations, liabilities, debts or expenses actually incurred or contracted for, no other warrant shall be drawn against such fund until another appropriation shall have been made. He shall have power, and it shall be his duty to inquire into, inspect and inventory all finances and accounts, property and assets of all persons, officers, boards, school districts and other corporate bodies of said city charged in any way with the receipt, collection or disbursement of public funds, or the custody, control or use of public property; and to require such reports concerning the same as he shall deem for the public interests; and it shall be the duty of all such persons, officers, boards and bodies to make to said controller such reports as he may, in pursuance of his said duty, require to be made; and to permit the inspection and copying of all books, reports, entries, documents and accounts under their control, and to permit the inventorying of all public property under their control.

(f) The controller shall open an account with the treasurer in which he shall charge said treasurer with the whole amount of taxes, special or general, levied in said city and placed in his hands for collection, all sums received for licenses, and all other moneys which may be paid into the city treasury, and all bonds, coupons, notes, leases, mortgages, interest and bills receivable by said city, of whatever nature. He shall charge to the treasurer all taxes which may be placed in his hands for collection, and all other officers of the corporation with all funds, money or property placed or being in their possession, and shall require settlement with such officers at least once in each year, and as much oftener, not to exceed once in each month, as to him seems proper, the interest of the city and the safety of its property may require; and he shall give said treasurer and all other officers credit for all money disbursed upon showing proper vouchers, and for all property consumed, expended and destroyed by ordinary wear and use and not otherwise.

(g) The controller shall make out and attach warrants to all tax rolls in said city whether for State, county, city, general or special assessments or taxes, and such warrants shall be in the usual form of law, which shall have the same virtue, force and legal effect as warrants made by the supervisors of townships pursuant to the laws of the State.

(h) The controller shall also perform such other duties as are or may be prescribed by the charter of the city or the ordinances of the common council, or by said boards, not inconsistent herewith, and shall receive for his services such annual salary as the common council shall prescribe, which shall be in full for all services to the city and said boards, as controller, including his duties as assessor, and he shall give a bond with

To charge treasurer with whole amount of taxes.

To make warrants and attach to tax rolls.

To perform duties as prescribed by charter or council.

sureties in the sum of not less than five thousand dollars, for the faithful performance of the duties hereby imposed.

To make
annual
financial
statement
to council.

Statement,
what to show.

Form of
heading for
statement.

Controller to
be assessor of
city.

President pro
tem.

Duty of street
commission-
ers.

(i) The controller shall also on or before the second Tuesday of March in each year make out and submit to the common council a detailed statement of the receipts and expenditures of the corporation and its boards during the preceding year, which statement shall distinctly show the amount of taxes raised during the preceding year for all purposes, the amount raised for each fund; the amounts if any, levied by special assessments and the amount collected on each; the amount of money borrowed and upon what time and terms and for what purpose, also the items and amounts received from all other sources during the year and for what purposes received; the amount expended during the year and for what purposes, classifying the expenditures for each purpose separately. Said statement shall distinctly show the amount of all indebtedness outstanding against said city and for what purpose contracted and whether funded or floating; the rate of interest payable on the funded debt and when, where and to whom paid; the amount of salary or compensation paid or payable to the several city officers, the condition of the several funds of the city and the balance therein, and such other information as may be essential to a full understanding of the financial affairs of the city. The account of each officer shall be stated separately. He shall also embrace therein a statement in detail of the amounts of money which in his opinion it will be necessary to raise by taxation for all city and local purposes for the ensuing year. The heading of said statement shall be as follows, viz.: "Statement of the Receipts and Expenditures of the City of Marquette for the fiscal year ending the second Tuesday of March, A.D. 18—(as the case may be)." Said statement shall be certified and signed by the controller and by him or under his direction shall be spread at length in a book to be kept in the office of the recorder to be designated the "Record of Controller's Reports", and a copy thereof published in one of the newspapers of the city on or before the fourth Tuesday of March thereafter. The controller shall be the assessor of said city and wherever in the charter or the ordinance of the city the word "assessor" is used, the same shall be deemed to refer to and mean the controller, and he shall have authority to employ such number of clerks from time to time as may be necessary, subject to the approval of the common council.

§ 81—SEC. 4. The president *pro tempore* of the common council shall possess the same powers and perform and discharge the municipal duties of mayor, during the absence, inability, death, resignation, or removal of the mayor.

§ 82—SEC. 5. (*As Amended 1893.*) It shall be the duty of the street commissioner to perform or cause to be performed, all such labor, repairs and improvements upon the highways, streets, sidewalks, alleys, bridges, reservoirs, drains, culverts, sewers, public grounds and parks within the city, as the council

shall direct to be done by or under his supervision; and to oversee and do whatever may be required of him in relation thereto by the council under such direction as the common council shall prescribe. He shall make a report to the controller in writing and on oath, once in each month, giving an exact statement of all labor performed by him, or under his supervision, and the charges therefor, the names and place of residence of each person employed by him, and the dates and amounts of labor performed by each, and the rates of compensation to be paid therefor, the amount of material used, and the expense thereof and the street or place where such material was used, or labor performed and further showing the items and purpose of all expenses incurred since his last preceding report, and such other items as may be required by the council or controller, and no payment for labor or services performed, or for expenses incurred by him, shall be made until reported on oath as aforesaid.

To make
monthly re-
port to
controller.

§ 83—SEC. 6. (*As Amended 1897.*) The recorder and treasurer shall each have authority to appoint and employ, subject to the approval of the common council, one deputy, but without cost to the city for the services of such deputy unless specially provided for and allowed in advance by the common council, and for whose official acts he and his bondsmen shall be responsible, which deputy upon duly qualifying shall be authorized to perform any and all the duties of his principal in the name of such principal; but any such appointment may be revoked at any time by the officer making the same and another person appointed as such deputy.

Recorder and
treasurer
may appoint
deputies.

§ 84—SEC. 7. It shall be the duty of every alderman in said city to attend the regular and special meetings of the common council, to act upon committees when thereto appointed by the mayor or common council, to order the arrest of all persons violating the laws of this State, or the ordinances, by-laws, or police regulations of said city, to report to the mayor all subordinate officers who are guilty of any official misconduct or neglect of duty, to maintain peace and good order, and to perform all other duties required of them by this act.

Duty of
aldermen.

§ 85—SEC. 8. (*As Amended 1897.*) The marshal shall be chief of police of the city. As police officer he shall be subject to the direction of the mayor. It shall be his duty to see that all the ordinances and regulations of the council and laws of this State made for the preservation of quiet and good order and for the safety and protection of the inhabitants of the city are properly enforced. He shall also possess all the powers of a constable under the laws of this state and such powers as constables possess in townships, and such other powers as are necessary for the service of civil or criminal process issued out of justice's courts of the city. As peace officer he shall be vested with all the powers conferred upon sheriffs for the preservation of quiet and good order. He shall suppress all riots, disturbances and breaches of the peace, and for that purpose may command the aid of citizens in the performance of such duty. It shall be his duty to arrest all dis-

Of marshal.

orderly persons in the city. He shall arrest upon view, and with or without process, any person found in the act of committing any offence against the laws of the State or ordinances of the city amounting to a breach of the peace, and forthwith take the person or persons arrested before the proper magistrate or court for examination or trial. And he may also without process arrest and imprison persons found drunk in the streets.

City attorney
to have
charge of law
business of
corporation.

§ 86—SEC. 9. (*As Amended 1893.*) The city attorney, under the direction of the common council, shall have charge of and conduct all the law business of the corporation and in which it shall be interested, except otherwise ordered by the common council in special cases, and shall also advise the common council, boards of the city, and their officers and committees upon all matters appertaining to the public business and the enactment of laws and ordinances when submitted to him for his opinion. He shall prosecute for offenses against the ordinances and regulations of the city adopted by the common council, and the board of water and fire commissioners, and for the violation of any of the provisions of the charter of the city. He shall appear in and defend all actions brought against the Peter White Public Library of the City of Marquette and the trustees thereof.

Treasurer to
have custody
of moneys,
bonds, and
notes.

§ 87—SEC. 10. (*As Amended 1893.*) The treasurer shall have custody of all moneys, bonds, mortgages, notes, leases and evidences of value belonging to the corporation, and every board of officers except as otherwise provided by law. He shall receive all moneys belonging to and receivable by the corporation, and keep accurate accounts of all receipts and expenditures thereon. He shall pay no money out of the treasury except on a warrant signed by the proper officers or persons and countersigned by the controller, which shall specify the purpose for which the amount thereof is to be paid, except that when required by law he shall pay over to the county treasurer the amount of all State and county taxes collected by him. He shall keep an accurate account of and be charged with all taxes and moneys appropriated, raised or received for each fund, board or other body; shall keep a separate account for each fund, and shall pay every warrant out of the particular fund, board and other body, constituted or raised for the purpose for which said warrant was issued and having the name of such fund endorsed thereon by the controller. He shall keep an accurate account and report to the common council at the end of each quarter, commencing August first, eighteen hundred and ninety-three, a detailed statement of all taxes collected and money received, as well as money disbursed. He shall make a monthly detailed statement to the controller of the amount received and credited by him to each fund, board or other body, and on what account received, and shall also when required, exhibit a general statement showing the financial condition of the treasury, which account, report and statement, shall be filed in the office of the controller. The treasurer shall keep an office where the books and accounts in his charge belonging to the city shall be open

To report
quarterly to
council.

to the inspection of any taxpayer of said city at reasonable hours in any week day. And where all bonds, coupons and warrants, the place of payment of which is not otherwise designated, shall be presented for payment, and the treasurer shall not discriminate as to parties holding bonds, coupons, warrants or other lawful demands. The city treasurer shall collect all the State and county taxes assessed and imposed upon the real and personal property of said city, and also all city, highway, sewer, water, light and power, and school taxes, and all such special taxes and assessments as may from time to time be levied by the common council for the improvement of the streets, the construction of sidewalks, or any other purposes authorized by this charter or the laws of this State, as may be placed in his hands for collection by the controller or other proper officer of said city; and the warrant of the controller of said city shall confer full power and authority upon said treasurer to collect by levy and sale, all the taxes set forth upon any copy or transcript of any general or special roll so placed in his hands, the same as warrants made by supervisors of townships under the laws of this State, and such treasurer shall have all the powers to enforce collection of said taxes as is conferred upon township treasurers by the general laws of the State, shall give receipts for all taxes collected by him and mark the same paid upon the proper rolls. He shall once in each year, and oftener if required, settle with the common council, and with said boards, and shall pay over all moneys in his hands upon the order of the common council and subject to their order, and shall deliver all obligations and valuable papers in his possession to his successor in office when required.

§ 88—SEC. 11.. The supervisor of each ward shall have and exercise within his respective ward all the powers, authority and functions of supervisors of towns as now provided or as may hereafter be provided by law, except as assessor, and except as herein otherwise provided, and they shall be members of the board of supervisors of the county of Marquette, and as such shall be entitled to the same compensation, and shall be paid in the same manner, and they shall perform as supervisors, such other duties as by this act shall be required of them: *Provided*, That in case of sickness, absence, disability or resignation of any supervisor, the common council shall have power to appoint a supervisor *pro tem* for the ward for which such supervisor was elected.

§ 89—SEC. 12. The justices of the peace of said city shall file their oaths of office in the office of the clerk of the county of Marquette, and shall have, in addition to the jurisdiction conferred by this act on them, the same jurisdiction, powers, and duties conferred on justices of the peace in townships, and shall have jurisdiction of all actions brought for the recovery of any fine, penalty, or forfeiture imposed by this act or any ordinance of said city.

To collect taxes.

Supervisors.

Proviso.

Justices of the peace.

- To keep office in the city.** §90—SEC. 13. It shall be the duty of the justices of the peace of said city to keep their offices in said city, and attend to all complaints of a criminal nature which may properly come before them; and they shall receive for their services, when engaged in cases for violation of the ordinances of said city, such fees as the common council shall by ordinance prescribe.
- Fines, etc., disposition of** § 91—SEC. 14. (*As Amended 1893.*) All fines, penalties and forfeitures recovered by any of said justices for the violation of penal laws, shall, when collected, be paid in to the city treasurer on the first Monday in each month; and all other fines, penalties and forfeitures recovered by any of the said justices shall, when collected, be paid to the city treasurer; and each of said justices shall report on oath to the common council, at the first regular meeting thereof in each month, during the term for which he shall perform the duties of such justice, the name of every person against whom judgment shall have been rendered for such fine, penalty or forfeiture, and the amount thereof, and all the moneys by him received for or on account thereof, which moneys so received or which may be in his hands, collected on such fines, penalties or forfeitures, and to be paid into the city treasury, shall be paid into the city treasury on the first Monday of each and every month during the time such justice shall exercise the duties of said office. The justices of the peace of said city shall qualify in the same manner and give like security as is required by law of justices of the peace elected in townships, and all the laws of this state applicable to justices of the peace elected in townships and to the court held by such justices of the peace (except as otherwise provided in this act) shall apply to justices of the peace of said city and to courts held by justices of the peace of said city. The term of office shall commence on the fourth day of July next succeeding their election, except when elected to fill an existing vacancy, in which case they shall qualify within ten days after notice of their election, and may at once enter upon the duties of their office.
- Justices to report monthly.**
- To qualify and give security.**
- Terms of office.**
- Fines and penalties.** § 92—SEC. 15. (*As Amended 1893.*) All fines, penalties and recoveries for violations of the ordinances enacted by the common council, and all ordinances, rules and regulations adopted by any board of said city, and for violations of this charter, shall be paid into the city treasury for use and benefit of the city and such general fund thereof as the common council shall by ordinance direct.
- Duty of assessor.** § 93—SEC. 16. It shall be the duty of the assessor to make and complete all assessments on the real and personal property within the city, which are or may be required by law or the laws and ordinances of the city to be made therein for any purpose whatever.
- Of other officers.** § 94—SEC. 17. All other officers whose duties are not herein expressly prescribed, and which the common council are herein authorized to appoint, shall perform such duties and give such security as the common council may require, and all officers appointed by the common council or who shall have the control or

management of any of the money or property of the city may be required to give such security as the common council may prescribe and approve, and in default thereof the common council may declare their office vacant.

CHAPTER X.

OF THE PUBLIC HEALTH.

[*Entire Chapter as Amended 1893.*]

§ 95—SEC. 1. The common council shall be the board of health of said city, and the health officer shall be the chief executive officer of said board in carrying out the powers conferred by this charter for the preservation of the public health. He shall also be the city physician.

Common council to be board of health.

Health officer

§ 96—SEC. 2. The said common council shall have power, and it shall be its duty to take such measures as they shall deem necessary and effectual to prevent the introduction of disease into the city; to stop, detain and examine for that purpose every person coming from any place infected, or believed to be infected with any such disease; to establish, maintain and regulate a city hospital for contagious diseases somewhere in the city or not exceeding three miles beyond the city limits; to cause any person not being a resident of said city, or if a resident of said city who is not an inhabitant of this State, and who shall be infected or shall be suspected of being infected with any such disease to be sent to such city hospital; to cause any other resident of said city to be removed to such city hospital if the health officer and two other physicians of the city, including the attending physician of said infected person, if he have one, shall certify that the removal of such person is necessary for the preservation of the health of the city; to remove from the city or destroy any furniture, wearing apparel, goods, wares or merchandise, or other articles or property of any kind which shall be suspected of being tainted or infected with any germs of pestilence, or which shall be likely to pass in such a state as to generate or propagate disease, to require and enforce the placarding of appurtenances, buildings and premises where persons are or have lately been sick with any contagious or infectious diseases deemed by them to be dangerous to the public health, and to punish for the violation of any ordinance, rules or regulations passed for that purpose by fine not exceeding one hundred dollars and costs of prosecution, or by imprisonment in the county jail for not exceeding ninety days; to abate all nuisances which are or may be injurious to the public health and in any manner that may be deemed expedient, and from time to time to do all acts, and pass all ordinances which shall be deemed necessary or expedient for the preservation of the public health and suppression of disease in the city and to carry into effect and execute all powers hereby granted.

To prevent introduction of disease.

To establish hospital.

To destroy infected goods.

To punish for violations of ordinance.

Inn keepers
to report sick
travelers.

Physician to
report
patients sick
with conta-
gious diseases

Violation of
act a misde-
meanor.

Council may
pass ordi-
nances
regulating
draining
grounds,
privies,
cellars, etc.

Abating
nuisances.

Expense to be
assessed.

Proviso.

General
powers.

§ 97—SEC. 3. Every keeper of an inn, boarding house or lodging in the city, who shall have in his house at any time, any sick traveler or lodger, shall report the fact and the name of the person, in writing, within six hours after he came to the house, or was taken sick therein, to the health officer, or, in his absence, to the mayor. Every physician in the city who shall have under his care or treatment or who shall professionally visit any patient sick of any infectious or pestilential disease, or disease pronounced by the State board of health to be dangerous to the public health, shall, within six hours after he shall have visited such patient, and the character of said disease shall have become manifest, make out and deliver to the health officer, or, in his absence, to the mayor, a report in writing under his hand of the name, residence or abiding place in said city of such patient, and the disease of which said patient shall be sick. A violation of any of the provisions of this section shall be a misdemeanor punishable by a penalty of fine or imprisonment, or both, before any justice of the peace of said city, the penalty not to exceed one hundred dollars and imprisonment six months.

§ 98—SEC. 4. The common council shall have the power to pass and enact such by-laws and ordinances as they shall, from time to time, deem necessary and proper for the filling up, draining, collecting, clearing and regulating any grounds, yards, basements, slips, cesspools, privies or cellars within said city and for filling around or repairing all sinks, cesspools or privies in said city and for the mode of constructing them in future, and to cause all such work which may be necessary for the purpose aforesaid and for the preservation of the public health, cleanliness and wholesomeness of the city to be executed and done at the expense of the city on account of the person or property respectively upon which the same may be assessed, and for that purpose, in case the expenditure is upon private property, to cause the cost and expense thereof to be assessed and collected by special assessment upon the lots and parcels of land upon which such expense shall be incurred in the same manner as is or may be provided by law and the ordinance of the city with respect to the public improvements within said city and with like effect: *Provided*, That the lots and parcels of land upon which the said costs and expenses have been incurred shall be deemed and held to be the lots and parcels of real estate benefitted thereby; and the sum of money assessed against each lot or parcel of land shall be the amount of money expended in making such improvements upon such premises together with a ratable proportion of the expense of assessing and collecting the money expended in making such improvement.

§ 99—SEC. 5. Said common council and said health officer shall possess all the powers, and be subject to all the duties and liabilities conferred upon boards of health and health officers by the general laws of the State now in force or hereafter enacted, not inconsistent with this charter; and the common council may

prescribe by ordinance penalties for the violation of any lawful order, rule or regulation made by them or the health officer.

OF LIGHT AND POWER.

§ 100—SEC. 6. The city of Marquette shall be and is hereby authorized and empowered to purchase, hold and improve lands, water powers, engines, machinery, apparatus and other property, and operate and use the same for the purpose of generating, making and furnishing electricity, gas, power, steam, light and heat or other form of energy for the lighting of public streets, avenues, buildings and grounds of the city, or for private lighting in said city, and for the purpose of furnishing electric, gas or steam power, heat or other form of energy for elevators, machinery or buildings owned by the city or other public corporation; and for the purpose of selling such electric or gas light, power, heat or other form of energy to any person, firm or corporation in said city; and said city is hereby empowered to levy and collect assessments and taxes, and to appropriate and borrow money and issue bonds for the purpose of paying for property so purchased, and for such improvements and the operation thereof, and to pay bonds of the city issued for such purposes.

Light and power.
Purposes, etc.

[Sections 7 to 21 inclusive rendered inoperative by the act incorporating the light and power commission, approved March 18, 1897, being sections 232 to 252 inclusive of this compilation.]

OF PARKS AND CEMETERIES.

[Secs. 22 to 34 inclusive, new 1895.]

§ 101—SEC. 22. The mayor shall, as soon as practicable after this act shall go into effect, appoint, by and with the consent of the common council, a park and cemetery commission to consist of three electors of the city, who shall be appointed to serve from the date of their appointment for the following terms thereafter and until their successors are appointed and enter upon the discharge of the duties of their offices, viz.: one for one year, one for two years, and one for three years from and after the fifteenth day of April in the year when appointed. Upon the expiration of the term of office of any member of said commission his successor shall be appointed in like manner for the term of three years from and after the fifteenth day of April in the year when appointed and until his successor is appointed and enters upon the duties of his office. Upon the death, removal or resignation of any member of said commission, the mayor shall, as soon thereafter as practicable, appoint another elector of said city as a member of said commission for the unexpired term. The mayor shall be *ex officio* a member of the said commission.

Mayor to appoint a park and cemetery commission.

Term of.

Vacancies.

§ 102—SEC. 23. The said commissioners, when appointed and organized, shall constitute a park and cemetery commission of the city of Marquette, which shall be known by the name

How known.

and style of "The park and cemetery commission of the city of Marquette". They shall choose one of their number as president, who shall hold his office until the fifteenth day of April next ensuing the date of his election, and until his successor is chosen. They shall also appoint a secretary who shall hold his office during the pleasure of the board. Before entering on the duties of their office said commissioners shall take and file with the recorder an oath or affirmation as in the case of other officers of said city. Said commissioners may prescribe the rules governing their proceedings and shall cause full minutes of their proceedings and doings to be kept in a book for that purpose, which shall be deemed to be a public record, which shall be at all times open to the inspection and examination of every citizen or taxpayer of the city of Marquette; which proceedings shall be published in a newspaper of the city at least quarter yearly.

To choose a president.

To appoint a secretary.

Oath.

May prescribe rules governing proceedings.

Proceedings shall be published.

Shall have power to employ all necessary assistants.

Proviso.

§ 103—SEC. 24. The said commission shall have power to employ superintendents, clerks, collectors, engineers, surveyors and such other employes as it may deem necessary to enable it to perform its duties under this act, and to prescribe their duties and compensation: *Provided*, That in no case shall said commissioners receive, directly or indirectly, any compensation for their services.

Subject to certain exceptions, commission to have full control of all parks and cemeteries.

§ 104—SEC. 25. Subject to the exceptions reservations and limitations in this chapter contained, said commission shall have the exclusive government, control, direction and management of the public parks and cemeteries of the city of Marquette, and all personal and real property belonging thereto, and shall have and exercise all the powers and duties of the city, of the common council and of the park and cemetery commissioners, whose functions and duties they shall have, exercise and perform in and about the custody, supervision, management and control of all the public parks and cemeteries of the city; and shall make or cause to be made, general and detail plans for the improvement of the same; and shall carry out said plans as the common council shall from time to time raise or appropriate money therefor, or as they shall have funds at their disposal for such purpose. All expenditures of public funds and all public or private structures, works or improvements in and about the public parks and cemeteries shall be under the direction of said commissioners, who may make and enforce rules and regulations for the government and control, and the preservation of the parks and cemeteries, not in conflict with the ordinances now in force, or which may be hereafter adopted by the common council, and shall cause all their rules and regulations to be entered in a book to be kept for that purpose, and signed by the president and secretary. They may appoint and employ such number of park police as the common council shall authorize, who shall have the powers of other police officers of said city, and perform such other duties as said commission shall require.

To make detailed plans for improvements.

Expenditures and improvements to be under the direction of the commissioners.

May appoint and employ park police.

§ 105—SEC. 26. Said commissioners shall cause to be made and filed in the office of the recorder, plats of all public cemeteries of the city and subdivisions thereof, showing number, name and location of all lots, blocks, parcels, walks, drives and other improvements and features, together with an abstract of all certificates, conveyances or deeds of lots or parcels thereof, showing to whom granted, date of conveyance, description and price of lot or parcel and all interments made and monuments erected therein, and such other particulars as they shall deem proper to be recorded; and it shall be the duty of the recorder to preserve said plats and abstracts, and also to keep in his office a book to be known as "The cemetery record," in which he shall record said abstracts or the items thereof, and such other particulars and information as said commissioners may require; which plats, abstracts and record shall be public records.

Plats of city cemeteries and subdivisions to be made and recorded.

Recorder to keep a cemetery record.

§ 106—SEC. 27. The offices of park commissioner and cemetery commissioner, as heretofore existing, are hereby abolished, but all ordinances of the common council, and parts thereof, now in force relating to the parks and cemeteries of the city, and the duties of the park and cemetery commissioners, not inconsistent with this chapter, shall be and remain in force until amended or repealed; and the duties of the park commissioner, cemetery commissioner and other officers thereunder shall devolve upon, and be performed by said commission.

Offices heretofore existing are abolished.

Previous ordinances not conflicting to remain in force.

§ 107—SEC. 28. Upon application of said commissioners to the common council therefor, private property may be taken by the city for the use of said commission the same as for other public use; and the same proceedings had for the condemnation thereof and payment therefor.

Private property, how taken.

§ 108—SEC. 29. Upon application of said commissioners to the common council therefor, the common council shall have power in their discretion to appropriate or raise money for the use of said commission and to borrow money from time to time for the use of said commission upon the best terms they can make for such time as they shall deem expedient, and at a rate of interest not exceeding seven per cent per annum, upon the credit of said city of Marquette; and shall have authority to issue bonds therefor, pledging the faith and credit of said city for the payment of the principal and interest of said bonds; which bonds shall issue and shall be signed, countersigned and registered as other bonds of said city: *Provided*, That no such bonds shall be issued until the amount proposed to be raised shall have been submitted to the electors of said city, and be authorized by a majority vote therefor by ballot of all the electors of said city voting at an annual or special election therein to be ordered, noticed, conducted, held and canvassed as elsewhere provided in this charter for the purpose of authorizing the issuing of bonds of said city.

Common council shall have power to raise or appropriate money for use of the commission.

Shall have authority to issue bonds.

Proviso.

No purchase shall be made or contract entered into exceeding \$500, without consent of the council.

Not to incur indebtedness beyond \$6,000.

To make written report to common council, what to embrace.

Statement to be certified by commissioners and filed with recorder.

Commissioners to estimate anticipated revenues, amount which will be needed, items etc.

Common council to appropriate; to levy tax for.

Report to embrace statement of bonds issued.

All moneys raised and appropriated to be paid into the city treasury.

Cemetery fund.

§ 109—SEC. 30. The said commission shall make no purchase of real or personal property or enter into any contract or upon any work or improvement requiring the expenditure therefor of an amount in excess of five hundred dollars without the consent of the common council previously obtained; nor shall such commission incur any indebtedness beyond the sum of six thousand dollars, which they may do in anticipation of the collection of taxes levied or of the receipt of money appropriated or authorized to be raised or borrowed for their use.

§ 110—SEC. 31. Said commissioners shall make a written report to the common council on or before the second Tuesday in March in each year, which shall embrace a statement of the condition of the property and improvements under their control, and the doings of said commission in relation thereto for the preceding year, and of the receipts of said commission from all sources, and the amounts thereof, together with an itemized account of their disbursements for the preceding year, which statement shall be certified by said commissioners, and shall be filed with the recorder of said city and published with the controller's annual statement. They shall also make report in writing to the common council of their doings from time to time as the common council shall require.

§ 111—SEC. 32. It shall be the duty of said commissioners, prior to the second Monday in June of each year to submit to the common council of said city an estimate of the anticipated revenue from the property under their control, and of the amount of money which will be needed by them for improvements, current expenses and other necessary disbursements for the ensuing year, specifying, as near as practicable, the items and amounts thereof; and the common council is hereby authorized and empowered to appropriate the same, or such portion thereof as they shall determine, for such purposes, and to levy and collect special taxes therefor, or embrace the same in the next general tax levy for city purposes, as in other cases, and in the same manner, and with like effect as other city taxes. Said report shall also embrace a statement of the amount of bonds of the city issued for park and cemetery purposes, and interest thereon, which will become due and payable during the ensuing year, and it shall be the duty of the common council to make provision for and pay or renew the same.

§ 112—SEC. 33. All moneys raised and appropriated for park and cemetery purposes in said city, and all moneys received from the sale of burial lots, or otherwise, shall be forthwith paid into the treasury of the city, and so much thereof as is received from the sale of burial lots shall be paid into a fund to be called the cemetery fund, which shall be disbursed exclusively for the care, preservation and ornamentation of the cemetery in which said burial lots are located, and all accounts and bills payable for current expenses and other expenditures of said commission shall be allowed and certified by said commission, and, when verified by the claimant as other claims against the city, shall

be by the controller audited, and when so audited shall be paid by the city treasurer out of any funds in his hands appropriated or applicable thereto, upon an order drawn and signed by the president and secretary of said commission and countersigned by the controller.

§ 113—SEC. 34. No member of said commission shall be interested, either directly or indirectly, in any contract with said commission or in the sale of any material or the furnishing of any labor or services to said commission; nor shall said commission grant any special rights, privileges or franchises without the concurrence of the common council, nor any exclusive rights, privileges or franchises whatever.

Members of commission not to be interested in contract or sale of materials.

CHAPTER XI.

COURTS OF JUSTICE, FINES, PENALTIES AND LEGAL PROCEEDINGS.

§ 114—SEC. 1. The justices of the peace in said city hereinbefore mentioned shall be deemed justices of the peace in the county of Marquette, and shall have all the powers and jurisdiction given by the general laws of this State, in relation to civil and criminal cases before justices of the peace, in townships, and appeals from their judgments and convictions may be made to the circuit court for the county of Marquette, in the same manner as appeals from the justices' judgments and convictions in towns are made: *Provided*, That all actions within the jurisdiction of justices of the peace may be commenced and prosecuted in said justices' courts when the plaintiff or defendant, or one of the plaintiffs or defendants, resides in a township adjoining the township of Marquette.

Jurisdiction.

Proviso.

§ 115—SEC. 2. Any justice of the peace residing in said city of Marquette shall have full power and authority, and it is hereby made the duty of such justice, upon complaint to him in writing on oath, to inquire into and hear, try and determine all offenses which shall be committed within said city against any of the by-laws or ordinances which shall be made by the common council in pursuance of the powers granted by this act, and to punish the offenders as by said by-laws or ordinances shall be prescribed or directed; to award all process, and take recognizance for the keeping of the peace, for the appearance of the person charged, and upon appeal, and to commit to prison as occasion may require. The corporation of the city of Marquette shall be allowed the use of the common jail of the county of Marquette for the imprisonment of all persons liable to imprisonment under the by-laws and ordinances of the common council; and all persons committed to jail by any justice of the peace for any violation of a by-law or ordinance of said common council, shall be in the custody of the sheriff of the county, who shall keep safe the persons so committed, until [lawfully] discharged as in other cases.

Power and authority.

Use of jail.

Justice of
peace to have
exclusive
jurisdiction
of offenses
against city.

§ 116—SEC. 3. (*As Amended 1893.*) The justices of the peace of said city shall have exclusive jurisdiction in all cases of offenses committed against any ordinance or by-law, rule or regulation of said city, and for offenses committed against any of the provisions of this act, except as herein provided to the contrary.

Proceedings
before just-
ices, how
commenced.

§ 117—SEC. 4. (*As Amended 1893.*) All proceedings before justices of the peace in said city for violation of any ordinances of said city, and for a violation of any of the provisions of this charter, shall be by complaint and warrant, except as herein provided to the contrary. All ordinances shall be entitled, but no ordinance shall be held invalid because the title does not accurately or fully express the object or objects of such ordinance. The following form of complaint shall be sufficient:

Form of
complaint.

STATE OF MICHIGAN, }
COUNTY OF MARQUETTE. } ss.

....., being duly sworn, says that on the
..... day of, 18, one
violated an ordinance of the City of Marquette entitled (here
insert the title of the ordinance or number or section or both
as the case may be, or a reference to page and section of the
record of ordinances, or of any printed copy of said ordinance)
for that the said did (here insert the facts
tending to show a violation of the ordinance).

Subscribed and sworn to before me this day of
..... 18

Justice of the Peace.

Complaints to
be treated as
under
general law
of State.

All complaints must be signed and sworn to the same as complaints in criminal cases under the general laws of the State. Complaints for a violation of any of the provisions of this charter may be in the same form except that the number of the section and chapter of this charter violated may be stated instead of the title of the ordinance, and the same complaint may include a charge of violating any provisions of this charter as well as any ordinance passed pursuant to the provisions thereof.

Who may en-
ter complaint

§ 118—SEC. 5. (*As Amended 1893.*) Such complaint may be made by any person having cognizance of the facts, or having good reason to believe that the offense complained of has been committed, and in all prosecutions for violations of the ordinances of the city, or any of the provisions of this charter, commenced by any person other than an officer of the city, before process shall issue, the court may in his discretion, require the person making such complaint, to deposit a sufficient sum of money, not exceeding ten dollars, as security for costs, or to file security for the payment of the costs of the proceedings in case the defendant is acquitted or the complaint is dismissed by the justice.

§ 119—SEC. 6. (*As Amended 1893.*) Upon such complaint being made, the justice before whom the same is made shall issue a warrant for the arrest of the person, or persons, charged with the offense, which warrant may be substantially as follows: Justice to
issue warrant

STATE OF MICHIGAN, }
COUNTY OF MARQUETTE, } ss.

Form of
warrant.

To the marshal or any constable of the city of Marquette:

You are hereby commanded in the name of the people of the State of Michigan to arrest.....and bring him forthwith before me, the undersigned, a justice of the peace of said city of Marquette, to answer a complaint made by for a violation of (here insert the title of the ordinance, or number of the section, or both, as the case may be, that are claimed to be violated), the said being charged in the said complaint with having (here insert the facts substantially as stated in the complaint which tend to show a violation of the ordinance, or section and chapter aforesaid).

You are also commanded in the name of said people of the State of Michigan to summon.....as witnesses on behalf of the city of Marquette.

Given under my hand this.....day of, 18

Justice of the Peace.

§ 120—SEC. 7. (*As Amended 1893.*) Any such warrant may be executed at any place within the State by the marshal, or by any of his deputies, or by any policeman or constable of said city, and the officer executing the same shall have the same powers as the sheriff in executing criminal warrants against persons accused of crimes or misdemeanors, and he shall bring the person arrested before the justice who issued said warrant, or in case such justice is absent from his office, or is unable to try the case, or has resigned, or is dead, then the officer making the arrest, or having charge of the person or persons arrested, may bring him or them before any other justice in said city. All persons, whether male or female, shall be liable to arrest and imprisonment for violation of any ordinance of said city or of any of the provisions of this charter, and it shall not be necessary to appoint any guardian for any infant in any suit or proceeding brought against such infant for a violation of any ordinance of said city. Warrant may
be executed
anywhere in
State.

Who liable to
arrest.

§ 121—SEC. 8. (*As Amended 1893.*) Upon the person or persons arrested being brought before such justice, he or they shall plead to the complaint, or, in case of refusal to plead, the justice shall enter a plea of not guilty after the complaint is read, or if such complaint is not sufficient and does not set forth an offense against the ordinance of said city, or provisions of this act, may move to quash such complaint. If such complaint is quashed, the defendant shall be discharged from custody, but such discharge shall not be a bar for further proceedings for the same offense. If such complaint is sufficient, and Persons ar-
rested to
plead to the
complaint.

the defendants deny their guilt, they shall plead not guilty of the offense charged in said complaint, or the court shall enter a plea of not guilty in case the defendants refuse to plead, and thereupon such cause shall be deemed at issue between the city of Marquette, complainant, and said defendant or defendants and thereafter, in said cause, the same proceedings shall be had up to and including the rendition of the verdict or judgment as in civil cases before justices of the peace in townships, except as herein provided to the contrary. Either party may demand a jury, but no defendant shall be entitled to a jury trial unless he shall advance and deposit with the justice the fees for the jurors at the time of demanding such jury, but if said city demands a jury, no fees for such jurors shall be required to be deposited with said justice. Such jury shall be selected in the same manner, and the same challenge shall be allowed, as in criminal cases before justices, except that it shall not be a cause of challenge or excuse that any person summoned as a juror, has been on the jury in said city or county during the preceding year, or that he is an honorary member of any fire or military company. Justices, in all such cases, shall have the same power to punish jurors or witnesses who refuse to attend, and to punish for contempt, and to exercise jurisdiction in all cases arising under the ordinances of said city or provisions of this act, that justices in townships have, or may hereafter have, in criminal cases.

Persons demanding jury to deposit amount of fees. **Selection of jury.** **Power of justices.** **When case adjourned defendant to furnish bond.**

§ 122—SEC. 9. (*As Amended 1893.*) If any such cause, commenced by complaint and warrant, is adjourned on request of either party, the defendant shall, if required by the justice before whom he is brought, enter into a bond or recognizance to the city of Marquette in the sum of not less than fifty dollars, or more than two hundred dollars in the discretion of the justice, with sufficient surety, conditioned to appear on the adjourned day before such justice, or before such other justice as the case may be transferred to, and abide the further order of the court, and not depart the court without leave. Such bond or recognizance shall be valid until the final determination of the case in whatever court the same may be finally determined. When the case is adjourned, the defendant shall be committed to the city prison or county jail until the case is tried, unless he shall give bail as aforesaid, if required by such justice. And upon conviction and sentence of the defendant, the marshal or any policeman or constable of said city present, when ordered by the justice, shall take such defendant into custody until the commitment is ready. If the defendant does not appear on any adjourned day, or does not render himself into custody upon conviction, the bond of recognizance shall be declared forfeited by said justice, who shall enter such a forfeiture upon his docket, briefly reciting the facts, and thereupon the city attorney, or other authorized agent or attorney of said city shall commence an action of covenant, or other appropriate action, on said bond of recognizance on behalf of said city, in any court of competent jurisdiction in this State, where the sureties may be found.

Upon conviction and sentence marshal to take in charge.

The common council shall have power to compromise with such sureties at any time before judgment.

§ 123—SEC. 10. (*As Amended 1893.*) The justice before whom any person is convicted shall thereupon render judgment against such person according to the terms of the ordinance or provisions of this act violated, and for the costs of prosecution, and shall issue his commitment against such person, and shall also, on request of the city attorney, forthwith issue execution to the marshal of the city, commanding him to collect of the goods and chattels of person so offending the amount of such fine or recovery, with interest and costs, and for want of goods and chattels wherewith to satisfy the same, that he take the body of the defendant and commit him to the city prison or to the common jail of the county of Marquette, to be safely kept by the officer in charge until said defendant is discharged by due course of law; and the defendant shall remain in prison until the execution, with all costs and charges thereon, shall be paid or he be discharged by due course of law: *Provided*, That the common council may remit such fine in whole or in part, if it shall be made to appear that the person so imprisoned is unable to pay the same. Any officer herein mentioned, who neglects or refuses to execute any process authorized under this chapter, shall be liable to the same penalties or damages which are incurred by sheriffs for neglecting or refusing to execute civil process.

Justice to
render
judgment.

Council may
remit fine.

§ 124—SEC. 11. (*As Amended 1893.*) The expense of apprehending, examining and committing offenders against any law of this State in the said city, or by any officer in said city, and their confinement, shall be audited and paid by the board of supervisors of the county of Marquette, in the same manner as if such expense had been incurred by any township of said county; and the board of supervisors of said county of Marquette shall audit and allow all legal charges against said county presented to said board by any justice of the peace or constable of said city.

Expense of
apprehend-
ing offenders,
how paid.

§ 125—SEC. 12. (*As Amended 1893.*) An action of debt or assumpsit may be brought by the city attorney or by any member of the common council, in the name of the city, for the recovery of any fine, penalty or forfeiture incurred by the violation of any ordinance of said city, or any of the provisions of this charter, and the proceedings shall thereupon be commenced by summons before any justice in said city, which summons shall be directed to the marshal or any constable of said county, and shall be returnable in not less than two nor more than twelve days and shall be served at least two days before the return thereof, and all subsequent proceedings in such action so commenced shall be the same as herein provided for in cases commenced by complaint, and the like execution shall be issued, if required. Said justice of the peace shall have the same power to render judgment by default or on confession in all actions, whether commenced by complaint or summons, as justices of

Action of
debt or as-
sumpsit may
be brought.

the peace in townships, now or hereafter may have in civil cases, and may thereupon issue a commitment and execution, the same as if the defendant appeared and proceeded to trial.

Right to
appeal or
certiorari
granted.

§ 126—SEC. 13. (*As Amended 1893.*) The right to appeal or take a *certiorari* to the circuit court for the county of Marquette from the justices of the peace of said city in all civil and criminal cases is hereby given to said city and to all parties to the same extent and in the same manner and within the same time as is now or may hereafter be provided by law for like appeals from justices of the peace in townships under the laws of this State. Said city shall have the right to appeal to the circuit court if judgment is rendered against it in any action brought by it, for a violation of any ordinance of said city, or any provision of this charter, whether commenced by complaint and warrant or otherwise, and in such case, and on *certiorari*, said city shall not be required to pay to the justice any costs or fees on appeal or *certiorari*; nor shall said city be required to give any bond on such appeal or *certiorari*, but such appeal shall be considered as perfected when the city attorney, or other authorized attorney on behalf of said city, files with the justice a notice briefly setting forth that said city feels aggrieved at the judgment rendered and appeals therefrom to the circuit court. Such notice shall be filed within twenty days after the rendition of such judgment, whereupon the justice shall make return of said cause to the circuit court, and thereupon said cause shall be deemed to be in the circuit court, and may be noticed for trial therein the same as civil causes. If judgment is rendered against any defendant for a violation of any ordinance or of any of the provisions of this charter, he may take a *certiorari* to the circuit court, in the same manner and within the same time as in civil cases before justices in townships, and no common law *certiorari* in any case shall be allowed.

Justice to
keep record
of all pro-
ceedings.

§ 127—SEC. 14. (*As Amended 1893.*) The record of all proceedings and judgment aforesaid shall be kept and entered by said justice in his general docket, and all the laws of this State, now or hereafter existing in relation to the entry of judgments in civil cases by justices of the peace shall apply to proceedings before justices in said city for a violation of any ordinance of the city or of any of the provisions of this charter, all judgments rendered by the justices under the provisions of this chapter may be proved in the same manner that is now or may hereafter be provided by law for proving the proceedings or judgments of justices in townships in civil cases. All other proceedings in progress of any case, from its commencement until the rendition of judgment for a violation of any ordinance of said city, or any provisions of this charter, shall be the same as in civil cases before justices of the peace in townships, except as herein provided to the contrary. Whenever it becomes necessary, to give effect to any provisions of this act, all courts shall hold the singular number to mean plural and the plural number to mean

Construction
of certain
words.

singular. The words he, his, himself, shall be held to include she, her and herself whenever used in this act.

§ 128—SEC. 15. (*As Amended 1893.*) All proceedings before said justices, or in any other court having jurisdiction under the provisions of this act, shall be construed liberally. The return of the marshal, or any of his deputies, or any policeman or constable of said city, to any warrant, summons, or other writ or process placed in his hands for service, issued by any justice, of said city under the provisions of this act, shall have the same effect in giving the justice jurisdiction, and as evidence, as a return of a sheriff or constable, in any civil process issuing out of any of the courts of this State. In the trial of any case for the violation of any ordinance of said city, the justice trying said case shall take judicial notice of the existence of said ordinance.

Proceedings
in court to be
construed
liberally.

§ 129—SEC. 16. (*As Amended 1893.*) All commitments issued against any person sentenced to the city prison or to the county jail for a violation of any ordinance, or of any of the provisions of this act, may be substantially as follows:

Form of com-
mitment.

To the marshal of the city of Marquette, and to the keeper of the county jail of Marquette county:

WHEREAS, was convicted before me, a justice of the peace of the city of Marquette, on the day of 18....., of having violated an ordinance of said city entitled (here insert the title of, or reference to the ordinance, or the number of the section and chapter of this act violated, or both, as the case may be), and

WHEREAS, On such conviction I sentenced him (or them) to pay a fine of (here insert the fine or fine and costs imposed, and the alternate imprisonment), and said fine and costs have not been paid; therefore in the name of the people of the State of Michigan, you are hereby commanded to take the said and deliver him to the keeper of the said jail, and you, the said keeper, are hereby commanded in the name of the said people of the State of Michigan, to safely keep said in your custody for days from the date of said conviction, unless he pays said fine and costs, or is otherwise discharged according to law.

Dated, Marquette, Michigan,, 18.....

.....,
Justice of the Peace.

If any person so committed shall pay the fine and costs stated in said commitment to said keeper, together with the accrued cost of his board, said keeper shall discharge said prisoner, and forthwith pay over such fine and costs to the treasurer of the city of Marquette, take his receipt therefor and file said receipt with the controller. When any person is directed to be imprisoned in the city prison, the commitment shall be directed to the keeper of said city prison. The marshal, or any of his

Keeper of
prison to
discharge
prisoner on
payment of
fine.

deputies, or any policeman or constable of said city, shall have the power to execute such commitment. The foregoing form of commitment shall be the final process, except as herein provided to the contrary, used in all actions under the ordinances of said city, or provisions of this charter, where judgment is rendered against the defendant, whether commenced by complaint or summons.

Citizens to be competent as jurors.

§ 130—SEC. 17. (*As Amended 1893.*) In all suits and proceedings in which the corporation of the city of Marquette shall be a party or shall be interested, no inhabitant of said city shall be deemed incompetent as an officer, witness or juror on account of his interest in the event of such suit or action: *Provided*, Such interest be such only as he has in common with all the inhabitants of said city.

Party convicted of violation of ordinance to pay costs.

§ 131—SEC. 18. (*As Amended 1893.*) In all cases where any fine is imposed on any person for the violation of any ordinance, rule or regulation passed or made by the common council, or any other body of said city authorized by law to pass or make the same, the court shall impose as an additional penalty the payment of the costs of prosecution, whether said ordinance, rule or regulation provides therefor or not.

Persons injured by defective public property to lay claim within 30 days.

§ 132—SEC. 19. (*As Amended 1893.*) The said city shall not be liable to respond in damages for any injury to person or property occasioned by any defect or alleged defect in any public street, lane, alley, park, walk, public space or public building or public ground within said city, unless the person claiming such damages shall, within thirty days next after such injury, give written notice to the mayor, recorder or city attorney of the fact, date and particulars of such injury, and shall within ninety days next after such injury present such claim to the controller of said city in writing and under oath, stating the time, place, cause and manner of such injury and the facts connected therewith and the witnesses, if any, present when such injury was received and the amount of damages claimed by reason of such injury.

May appeal by giving ten days notice.

§ 133—SEC. 20. (*As Amended 1893.*) In case any such claim is disallowed by the common council or the party claimant is not content with the amount awarded or tendered such claimant in settlement thereof, such claimant shall within ten days after notice of the action of the council upon said claim, file with the city recorder a notice of such claimant's intention to appeal from such determination and shall within sixty days next thereafter cause a transcript of such claim, together with a certified copy of any vote of the council of said city relative to such claim, to be filed in the office of the clerk of the circuit court of the county of Marquette, in the form and manner appeals from justices of the peace are now filed, and it is hereby made the duty of the recorder to make such certified copy for said appellant without charge therefor.

Appellant to give bond.

§ 134—SEC. 21. (*As Amended 1893.*) Before filing such appeal the clerk of said county shall require the appellant to exe-

cute and file a bond in the sum of three hundred dollars, with one or more sureties conditioned for the payment of all costs adjudged against the appellant in said action, which bond shall be filed in said cause: *Provided, however,* That in case the appellant shall make affidavit that by reason of poverty such appellant is not able to furnish such security, such bond shall not be required, except upon motion and showing made to the judge of said circuit court that the appellant is able to furnish such security.

Proviso.

§ 135—SEC. 22. (*As Amended 1893.*) The appellant shall, upon filing said appeal, cause notice thereof to be served upon the city attorney, and after such notice the said cause shall be proceeded in, in the same manner as prescribed by law in suits commenced by summons.

Notice of appeal to be served upon city attorney.

§ 136—SEC. 23. (*As Amended 1893.*) In all claims for injuries to person or property from defective walks or streets of said city, existing at the date of the passage of this act the claimant or claimants shall present such claim to the controller of said city within ninety days after this act takes effect.

Existing claims for damage to be presented to controller.

§ 137—SEC. 24. (*As Amended 1893.*) The provisions of this chapter shall not affect any suit, action or proceeding at law, or in equity pending and undetermined at the date of its passage.

Provisions of act not to affect pending suits.

CHAPTER XII.

OF TAXATION, TAXES AND THE COLLECTION THEREOF.

§ 138—SEC. 1. (*As Amended 1893.*) The controller of said city shall, in each and every year, make and complete an assessment roll of all the real and personal property in said city in the same manner as is or may be from time to time required by law for the assessment of property in the several townships of this State, and in so doing shall in all respects, except as otherwise in this charter provided, conform to the provisions of law governing the actions of supervisors in the several townships of this State, in the assessment of property and the levying of taxes. It shall be the duty of the controller before the first Monday in June in each year to assess all the property in said city liable to taxation under the laws of this State now or hereafter in force for the purpose of levying the taxes lawfully imposed thereon, and he shall for the purpose of making such assessment have all the powers and perform all the duties of supervisors of townships in this state: *Provided,* That any personal property in said city at any time between the last day of March and the first Monday of June in each year, not exempt from taxation, and not assessed for taxation elsewhere in the State for that same year, shall be liable to taxation in said city, and shall be embraced in said assessment roll. The said controller shall describe the lands, tenements or subdivisions thereof, subject to

Controller to make annual assessment roll.

Time and manner of making assessment.

Proviso.

To have power to demand statement and list of taxable property.

Board of review, who constitute.

Review and correction of assessment roll.

Recorder to keep record of proceedings.

assessment or tax in said city, by referring to the number and block of the lot, and the names of the owners and occupants thereof, and if the number and block of said lot, or the names of the owners thereof be not ascertained, then by such other sufficient description as the said controller shall employ, and if by mistake or otherwise any person may be improperly designated as the owner of any lot, tenement or premises, such assessment or tax shall not, for that cause, be vitiated, but the same shall be a lien on such lot, tenement or premises until paid, and shall be collected as in other cases. The controller shall have power and authority to demand of every person owning, or having in charge, as agent or otherwise, any property taxable in the city, a list of such property with such description as will enable him to assess the same. And such controller shall have and exercise the same power and duties relating to the making of assessment rolls as are or may be given to the supervisors of the townships by the general laws of the State, and he shall be governed by such laws except as herein otherwise provided. The controller shall deliver such assessment roll to the board of review at the opening of its meeting on the first Monday of June.

§ 139—SEC. 2. (*As Amended 1897.*) On the first Monday in June, and for so many days next thereafter as may be necessary in each and every year (not exceeding five days additional), it shall be the duty of the mayor and controller, together with the supervisors of each ward, to meet at nine o'clock in the forenoon of said day, or days, at the common council room. In case of absence from the city, sickness or inability of the mayor, the president of the common council shall act in his place; and in case of absence from the sickness or disability of either of said supervisors, the alderman of his ward having the shortest time to serve, shall act in his place; and the said mayor, controller and supervisors, or any of said officers, together with the persons so acting as aforesaid, shall constitute a board of review for the purpose of reviewing the assessment roll of the city, and of correcting any and all errors which said board or a majority of them shall discover in said roll, and of exercising all the powers which boards of review of townships are or may from time to time be authorized by law to exercise at their meetings to be held for the review and correction of the assessment rolls of their respective townships; and any member of said board is hereby authorized to examine on oath any person who shall make an application to said board, and also to administer any oath to any such person, or any person who may be required to file any affidavit with them, or either of them. It shall be the duty of the recorder to keep a record of all the proceedings of said board in a book provided for that purpose, to make regular entries of all resolutions and decisions on all questions; to record the vote of each member of said board on any question submitted to the board, if required by any member present, and to file and preserve all

petitions, affidavits and other written documents presented to the board. No assessment shall be changed in any way, or entry of other names or property made, on said roll, except by a motion or resolution regularly put and adopted by a majority of the members of said board, which motion or resolution shall state the amount at which the assessment is fixed as reviewed by said board. Each day's proceedings of said board shall be read, approved and signed by the chairman thereof. The controller shall cause a notice to the taxpayers of said city to be published in a newspaper published in said city, for two weeks prior to the time of any meeting of said board of review, stating the time and place of meeting of said board, and the object for which it will meet; which notice shall be continued on each publication day of said paper during the session of said board; but a failure to give such notice will not invalidate any tax. After the said board shall complete the review of said roll a majority of said board shall endorse and sign thereon a statement, the same in substance as is or shall then be required to be endorsed on the assessment rolls of townships by boards of review thereof. When so completed and certified such roll shall have the same force as evidence of the assessments therein contained, and of the validity thereof, as township assessment rolls so certified have or may then have by the general laws of this state. The omission of such endorsement shall not affect the validity of such roll.

Changes to
be by motion
or resolution.

Controller to
give notice of
meetings.

Certificate.

§ 140—SEC. 3. (*As Amended 1893.*) When said assessment roll shall have been so certified, it shall be the duty of the controller to forthwith make a copy of said assessment roll, which copy shall be known as the tax roll, and as soon as the city, school, library, water, light and power and highway taxes, and other local taxes and assessments are fixed and determined, he shall apportion, spread and extend on such tax roll all the taxes authorized to be raised for city, school, library, water and light and power purposes and other local taxes and assessments in said city, including the mill tax, and for the purpose of avoiding fractions may proceed as provided by the general laws of the State; and on or before the fifteenth day of July, in each year, he shall deliver said roll with the said taxes spread, extended and apportioned thereon to the city treasurer, with the warrant of said controller thereon commanding the collection of said taxes, the same, as near as may be required by law in warrants of township treasurers for the collection of State, county, and township taxes; taking his receipt therefor and charging him with the amount thereof. Upon the receipt of the tax roll by the city treasurer as hereinbefore provided, the taxes therein stated shall become a debt due and payable to the city, and the city treasurer shall forthwith upon the receipt of said tax roll give six days' notice by publication in a daily paper published in said city and by posting the same in at least six public places in each ward, which notice shall be a sufficient demand for the payment of all taxes on said roll, that such tax

Controller to
make copy of
certified roll
to be known
as "tax roll".

Tax roll to be
delivered to
city treasurer

Taxes to
become debt
to city and
treasurer to
collect.

roll has been deposited with him and that payment of the taxes therein specified may be made to him at any time up to and including the thirty-first day of October thereafter, that no addition will be made to taxes paid before the first day of August, but that an addition of one per centum of every unpaid tax will be made thereto on that day and a like addition of one per centum every month thereafter until the first day of November next succeeding, and the amount of the tax and of such additions as are hereinbefore specified shall henceforth be the unpaid tax: *Provided, however,* That the failure to give the notice specified in this section for the payment of such tax shall not invalidate the said tax nor relieve the persons assessed from the penalties herein specified.

Controller to retain assessment roll and deposit with county clerk.

§ 141—SEC. 4. (*As Amended 1893.*) When said assessment roll is completed by the board of review as aforesaid, it shall be retained by the controller, and it shall be the duty of the controller on or before the second Monday in October in each year, and at such other times as assessment rolls are required by law to be produced before boards of supervisors to deposit said assessment roll with the county clerk of Marquette county at the office of said county clerk, and it shall be the duty of said county clerk to produce said roll before the board of supervisors at its annual meeting, or whenever required by law as aforesaid. When the board of supervisors have acted on said roll as is or may be required by law, it shall be returned by the county clerk to the said controller. The board of supervisors shall have the same power to equalize said roll and do any and all acts with and to said roll including the raising of taxes, except as herein otherwise provided as they now or hereafter may have or do to township assessment rolls, which roll after equalization by said board, shall be the assessment roll of said city.

Spreading of State and county tax on roll.

§ 142—SEC. 5. (*As Amended 1893.*) On the first day of November the city treasurer shall return said tax roll to the controller, who shall at once apportion, spread and extend thereon all State and county taxes certified to him by the board of supervisors, at the same time and in the same manner as township supervisors are or may by law be required to do, and shall annex thereto a warrant directed to the city treasurer of said city, signed by him, and in all other respects the same as near as may be as is or may be by law required in warrants of township treasurers for the collection of State, county and township taxes, which warrant shall also command the collection of city and other local taxes remaining unpaid on said roll. The controller shall, on or before the first day of December, cause the said tax roll to be delivered to the city treasurer, who shall give a receipt therefor, and he be charged therewith. The treasurer shall collect and receive all taxes on said roll, including said local taxes and additions, except such as have been paid, without charging any percentage thereon until the first day of January in each year, and shall mark on the roll as paid all taxes paid to him, and he shall pay to the county treasurer all

Collection of same.

State and county taxes received by him as and when required by law: *Provided*, Security has been given by said city treasurer as required by law or in this act provided; but if such security shall not have been given by such city treasurer in the manner and in the time required, the common council shall immediately appoint some suitable person, who shall give the required security to collect said tax roll, who shall be styled the city collector; and the person so appointed shall thereupon be entitled to receive said tax roll and shall collect and pay over such taxes, and make return of his doing thereon in the same manner; and shall have all the powers, and shall perform all the duties and be subject to the same liabilities in this act conferred upon the city treasurer of said city, for the purpose of the collection and return and paying over of said taxes.

§ 143—SEC. 6. (*As Amended 1893.*) Such treasurer shall, after the tax roll comes into his hands, as provided in the last preceding section, give notice by publishing the same for two successive weeks in a newspaper published in said city, and by posting the same in three public places in each ward of said city, that the roll is in his hands, and the time when by law he will be authorized to receive the taxes thereon: *Provided*, That any default in said notice or any omission to comply with the provisions of this section, shall not invalidate said tax roll or any taxes thereon assessed. Treasurer to give notice. Proviso.

§ 144—SEC. 7. (*As Amended 1897.*) For the collection of all such taxes, the city treasurer, or other persons appointed to collect the same, shall be entitled to receive such percentage as is or may at the time be allowed by law to township treasurers for the collection of taxes. The said treasurer shall collect the tax rolls put into his hands by the assessor within the same time and in the same manner that the several township treasurers are or may be required to collect the taxes in townships, except as otherwise herein provided; and he shall possess all the powers and perform all the duties which are or may be prescribed by law for township treasurers of this state and which are not inconsistent with this act. Collection fees. Duty of Treasurer.

§ 145—SEC. 8. (*As Amended 1897.*) The common council shall have authority to assess, levy and collect taxes on all the real and personal estate taxable in said city, which taxes shall be and remain a lien on the property so assessed until the same shall be paid: *Provided*, that they shall not raise by general tax more than one per cent. on the valuation thereof for city purposes, exclusive of state, county, school, water, light and power, library, and taxes to pay bonded indebtedness and interest thereon and highway taxes. They may levy a highway tax not exceeding one-half of one per cent. on the valuation of taxable property in said city, to be assessed and collected in money as other city taxes, but placed upon the assessment roll in the column of highway taxes. In addition to all other taxes herein provided for the council may also raise such further sums Power to assess taxes. Limitation on city taxes. Highway tax.

- annually, not exceeding one-half of one per cent. of the assessed valuation of the property of the city, as may be necessary to provide an interest and sinking fund to pay the funded debts of the city and the interest thereon, which shall include school district bonds, water bonds, and electric light and water power bonds, as well as all other city bonds. They may also levy and raise by tax, in addition to all taxes hereinbefore provided for, such sum as may be required to pay any indebtedness of the city maturing or to fall due within the year, arising from loans previously made by the city, or interest thereon.
- Interest and sinking fund.**
- Taxes for the repayment of loans.**
- Poll tax.** § 146—SEC. 9. The common council shall have power to assess and collect from every male inhabitant of said city over the age of twenty-one years and under the age of fifty years, except paupers, idiots, lunatics, and persons otherwise exempted by law, an annual capitation or poll-tax not exceeding one dollar, and they may provide by their by-laws for the collection of same: *Provided*, That any person assessed for a poll tax may pay the same by one day's labor upon the streets, under the direction of the street commissioner, who shall give to each person so assessed and electing to pay the same in labor, notice of the time and place when and where such labor will be required; and the money raised by such poll-tax, or labor in lieu thereof, shall be expended or performed under the direction of the common council.
- Proviso.**
- Taxes a debt.** § 147—SEC. 10. (*As Amended 1897.*) All taxes levied as herein provided, for state, county, city and other purposes, shall become at once a debt to the city, from the person or persons owning or occupying the property upon which the same are levied. All said state and county taxes, assessed on real property, shall be a lien on such real property on and after the first day of December following; and all other taxes so assessed on real property shall be a lien on such property on and after the fifteenth day of July of the year for which they are assessed; and the lien for such amounts, and for all interest and charges thereon, shall continue until payment thereof. Taxes assessed on personal property shall be a lien thereon in accordance with the provisions of the general tax law of this state. All state, county and school taxes in said city, and all city, highway and other local taxes, which shall be raised by general taxation, shall be assessed and levied upon the same property, and collected as near as may be in the same manner, as is or may be provided by law for the assessment and collection of taxes by township officers, except as herein otherwise provided. The city treasurer, or city collector, shall make return to and settlement with the county treasurer within the same time and in the same manner as township officers are or shall then be required by law to make such returns and settlements; and after such return the same proceedings shall be had for the collection of taxes returned delinquent, and for the sale of lands for delinquent taxes, as shall then be prescribed by the general laws of this state for the collection of delinquent taxes and sale of lands for delinquent
- Lien of taxes on real estate**
- Lien of personal taxes**
- General laws to govern.**
- Settlement with county treasurer.**
- Proceedings for collection.**

taxes in townships; and all laws that shall from time to time be in force, relating to the redemption of lands sold for taxes, the conveyance of such lands after the redemption shall have expired, and the force and effect of the conveyance given on such sale, shall apply with equal force thereto, except as herein otherwise provided. The common council of said city is hereby authorized and required to perform the same duties in and for said city as are by law imposed upon the township boards in the townships of this state, in reference to said county, state and school taxes, except as is otherwise provided in this act.

Duties of
common
council.

§ 148—SEC. 11. (*As Amended 1893.*) It shall be the duty of the common council, on or before the second Monday in June in each year to determine, by resolution, and direct the amount of money to be raised by taxes in said city for all purposes within said city for such year, and direct the levying thereof and the levying of all sums required for the use of school district number one of the city of Marquette, or other school districts hereafter established in said city, the board of water and fire commissioners of the city of Marquette, and the trustees of the Peter White public library of the city of Marquette; and for such other boards as shall be established by law in said city; and it is hereby made the duty of the controller of said city to levy the sums so directed to be levied, and such other taxes as may be required by law upon the taxable property of said city in the manner specified in this act. No real or personal property which shall be exempt from taxation under the laws of this State shall be assessed for the ordinary city taxes, nor shall any public park, square or public ground be assessed for any tax or assessment whatever. It shall be the duty of the trustees of school district number one of the city of Marquette annually and before the first Monday in June in each year to certify, as otherwise provided by law, to the common council all sums to be raised by taxation for school purposes in said city during the current year, and the same shall be levied with the other local taxes as required by this charter. The board of supervisors of Marquette county shall have no power to direct the amount of money to be raised in said city, upon the city tax roll for city or school purposes except to order the reassessment of rejected taxes.

Council to
determine
amount of
taxes to be
raised.

Controller to
levy taxes.

Property
exempt from
taxation.

School taxes
to be
certified.

§ 149—SEC. 12. (*As Amended 1897.*) Whenever it shall be discovered that the sale of any real estate situated in said city, to the State, for delinquent taxes, heretofore made, or hereafter to be made, pursuant to the decree of any court, as provided by law, is void, either because of the invalidity of the decree for want of jurisdiction, or for any other reason, or because of any defect in the proceedings subsequent to such decree, for the sale of such real estate, or the report and confirmation thereof, and the interest acquired by the State on such sale shall still be held by the State, the auditor general is hereby empowered to cause a re-sale thereof in the following manner: If the defect is owing to the invalidity of the decree he shall file a new petition in the

Proceeding in
case tax sales
are void.

Auditor gen-
eral to cause
re-sale.

same court in which said decree was made, alleging the invalidity of the former decree or decrees, and the grounds thereof, and also containing the allegations, and making the reference for descriptions and amount of taxes, interest and charges, to schedules, as required by the provisions of the general laws of this State then in force for proceedings for decree against lands for delinquent taxes and the sale thereof, and praying for a decree declaring such former decrees null and void, as well as for a new decree in favor of the State for the payment of such delinquent taxes, and in default thereof that such real estate be sold. All the provisions of the general laws of this State then in force for proceedings for decree and sale of lands for delinquent taxes shall apply to such petition, and the notice of the pendency thereof, and all subsequent proceedings, to and including the sale and conveyance of the lands, shall be in accordance with such provisions of law. The decree shall be substantially in the same form as may be prescribed by law for decrees against lands for delinquent taxes, except that such former decree or decrees shall thereby be declared void, and it shall direct the sale of the lands covered thereby to be made at the time and place appointed by law for the annual sale of lands for delinquent taxes. The same time shall be allowed for redemption of lands sold on such decree as is allowed by law on other lands sold for taxes. If there shall be a valid decree, and the sale is void because of defect in the proceedings subsequent thereto, the auditor general may present his petition to said court, setting forth the defect, referring to the said decree and the tax record referred to therein, and praying that such sale may be set aside and a resale ordered. And if the court shall find that such sale is void it shall so order, and the auditor general shall thereupon proceed to advertise the said lands and cause the same to be sold in the same manner as is provided by law for the sale of lands decreed for sale which for any cause shall not be sold as advertised. And whenever the common council of said city shall request the auditor general to take proceedings for the re-sale of any such real estate, and shall furnish a statement of the alleged defects in the proceedings to obtain such decree or decrees, or to make such sales, it shall be the duty of the auditor general, if in his opinion such decrees or sales are void, or if he shall be so advised by the attorney general to institute the appropriate proceedings for the re-sale of such lands, as hereinbefore provided. In all cases wherein the sale of any of the lands in said city, made under the general tax laws of this State, has been or may be set aside by any court, or otherwise canceled according to law, and the money paid on such sale shall have been refunded to the purchaser, his representatives or assigns, the lien for the taxes for which such sale was made shall be re-vested in the state, as if no sale had been made; and the auditor general shall, as soon as practicable, cause such lien to be foreclosed, and the said lands to be re-sold in the manner aforesaid.

General law
to apply.

Decree for
sale.

Redemption.

Common
council may
apply to audi-
tor general to
cause re-sale.

Lien to re-
vest in State.

§ 150—SEC. 13. (*As Amended 1897.*) No general or special tax assessed in said city, upon any property therein, shall be held invalid for want of any matter or thing not affecting the merits thereof; nor shall any excess of tax render any sale of personal property invalid, unless the legal amount of tax, costs and charges were tendered to the officer collecting the same before the sale of such property; and in all cases of sales of real estate for taxes the same may be redeemed within the time, and in the manner, and upon the terms, as provided for in the general laws of this State, and such sales shall have such legal effect as is or may be hereafter given in the general law to sales of lands for taxes.

Taxes not to be held invalid, when.

Tender of taxes.

§ 151—SEC. 14. (*As Amended 1897.*) Whenever the common council shall determine the necessity thereof or order any street or any portion thereof to be opened, widened, graded, paved, or otherwise improved, or the construction of any sewer, drain, bridge, culvert, or any other like improvement, it may acquire the land and right of way therefor, and may enter into a contract for making such improvements according to the provisions of this charter and the laws and ordinances of the city, and after the cost and expense thereof has been ascertained, it shall cause the same to be assessed upon the lots and real estate herein made subject to such assessment, as hereinafter provided; and in case land or right of way for any such improvement shall have been heretofore acquired, the cost thereof may be included in such assessment: *Provided*, That unless the common council shall otherwise order by three-fourths vote of the aldermen elect, the mayor concurring, it shall be necessary before any liability for any of the cost and expense of any such improvement, other than the cost of the estimate hereinafter provided for, is incurred, to cause, and the common council is hereby authorized to cause an estimate of the probable cost and expense of said improvement to be made by the controller, and cause the amount of said estimate to be assessed upon the lots and parcels of real estate to be benefitted by said improvement, in the manner, as near as may be, as is herein provided for assessing the cost and expense of improvements in other cases; in which case no contract shall be let or liability incurred for such improvement until at least three-fourths of the said estimated cost and expense thereof, so assessed, shall have been collected; and in case the total cost and expense of said improvement when completed shall exceed the said estimate thereof, the difference between said total cost and expense thereof and said estimate shall be assessed and levied by the controller on the said lots and parcels on the roll upon which said estimate was spread, and the controller shall attach his warrant thereto commanding the collection thereof by the treasurer, and the same shall be collected as other special assessments. In case the said actual cost and expense of said improvement when completed shall be less than the said estimated costs thereof, the difference between the same shall be refunded *pro rata* to the persons or corporations who

Public Improvements

Lands for.

Contract.

Cost to be assessed.

Estimates of cost to be made.

Contract not to be let, when

Warrant.

In case of surplus.

have paid the same. A proper charge to be determined by the common council for plans, superintendence and engineering services in connection with any such improvement, shall be embraced in the items of the costs and expense of any such improvement, as well as the cost of land and right of way therefor. Before ordering any public improvements or repairs, any part of which is to be defrayed by special assessment, the council shall cause estimates of the expenses thereof to be made by the controller, and also plats and diagrams, when they deem the same desirable, of the work and of the locality to be improved, and deposit the same with the controller for public examination; and they shall direct the recorder to give notice thereof and of the proposed improvement or work, and of the district to be assessed, which shall be given by publication for at least ten days in one of the newspapers of the city, and of the time when the council will meet and consider any objection thereto. Unless a majority of the persons owning the property to be assessed for any such improvement shall petition therefor, no such improvement or work shall be ordered, except by the concurrence of the mayor and two-thirds of the aldermen elect. *Provided further*, That the proviso of this section shall not apply to the construction or repair of sidewalks or assessments therefor.

Local assessment districts. § 152—SEC. 15. (*As Amended 1893.*) For the purpose of such assessment the controller shall immediately proceed to establish and define a local assessment district embracing all the lots and parcels of real estate deemed to be benefited by said improvement, and shall make out a special assessment roll of all the lots and parcels of real estate within such district except public property and assess the entire cost and expense of such improvement, or so much thereof as is required, upon the said lots and parcels of real estate in a just and equitable manner, assessing each lot or parcel of real estate in each district its just proportion of the whole amount of such cost and expense according to the best of his judgment, having reference to the proportionate amount of benefit to be derived from such improvement by each of said lots or parcels of real estate,

Assessment roll. § 153—SEC. 16. (*As Amended 1897.*) On the completion of such assessment rolls by the assessor he shall immediately submit the same to the common council, who shall have power to revise the same, and may change the limits of the assessment district, or the amount of assessment upon any lot or parcel of real estate therein, or may order a new assessment roll to be made by the assessor and submit to the common council for approval.

Benefits, how apportioned. § 154—SEC. 17. After the said assessment roll has been approved by the common council, the recorder shall give notice of at least ten days by publication in some newspaper printed in said city, or by handbills posted in at least ten conspicuous places within the said assessment district, that the common council will meet on a day and at an hour specified in said notice, to consider the final confirmation of said assessment roll. If a

Items to be embraced in assessments.

Estimates and plats.

Notice.

Local assessment districts.

Assessment roll.

Benefits, how apportioned.

Roll to be revised by council.

Notice of confirmation to be given.

ing, or if the revision of such assessment roll cannot be completed thereat, it may be adjourned from time to time for that purpose without further notice.

§ 155—SEC. 18. (*As Amended 1897.*) When all needful revision and correction of such assessment roll shall have been made, to the satisfaction of the common council, it shall, by resolution, confirm the same. Upon the completion and confirmation of such assessment roll the same shall be presumed by all courts and tribunals to be regular and valid, and shall be *prima facie* evidence of the validity of the assessments therein made against the persons and property therein named. Upon and after the confirmation of such roll each of the several assessments therein made shall at once be a personal charge against the owner of the real estate against which such assessment was made and, together with all interest and legal charges, shall be and remain a lien on such real estate until the same shall be paid. After the confirmation of any special assessment for any improvement for which the city may have a lien on real estate, a written notice of lien upon the lots or parcels of land, or any of them, on which any such lien is claimed, may upon the direction of the common council, be issued and recorded in the office of the Register of Deeds for the county of Marquette, which notice may briefly allege that the city of Marquette claims a lien on such parcel or parcels of land, describing the same, for such special assessment and costs, charges, penalties and interest, and shall describe the improvement for which said assessment was made, which notice shall be subscribed by the recorder and shall bear the seal of the city, and shall remain on file in the office of said register. If any such assessment be not paid when due, the cost of recording such lien may be added to such assessment and other expenses above referred to and shall be collected as a part thereof. Upon the payment of any such assessment, with costs, charges, penalties and interest, on any parcel of land, a brief certificate of the discharge of such lien shall be issued by the officer receiving such payment, and the same may be filed in the office of such register and shall authorize the discharge of such lien upon the record thereof. It shall be the duty of such register of deeds to file and record such notice of lien and release, upon the tender to him of the legal fees therefor. No such assessment, whether heretofore made, or hereafter to be made, shall be held invalid in any court on account of any informality in making the same, or on account of the omission of the name of the owner of the property assessed, or on account of the property having been assessed in the name of any person other than the owner, or on account of any other irregularity, informality, or omission, or want of any matter of form or substance in any proceeding that does not prejudice the property rights of the person whose property is assessed. And in any suit or proceeding to enforce or set aside any such assessment, or to foreclose the lien thereof,

Confirmation
of roll.

Lien of
assessments.

Notice of lien
may be
recorded.

Discharge of
notice of lien.

When assess-
ments not
to be held
invalid.

such assessment shall be held invalid only for one of the following reasons, viz:

Reasons for which assessment may be held void.

First, That no law authorizes such assessment, or that no ordinance of the common council authorizes the same;

Second, That the person or persons authorized to determine whether such assessment should be made have acted without jurisdiction, or have not ordered or made such assessment;

Third, That the person or property so assessed was exempt from such assessment;

Fourth, That the assessor, or person whose duty it was to make such assessment, in assessing such property, or in apportioning the moneys to be raised upon such assessment, acted fraudulently, to the injury of the person objecting thereto.

If such illegality, omission, or fraud affects only a portion of such assessment, it shall be sustained as to the remainder.

Council may direct portion of expense shall be paid by city.

§ 156—SEC. 19. (*As Amended* 1897.) Whenever the common council shall deem it just that a portion of the cost and expense of opening, widening, or improving any street, or of constructing or reconstructing any bridge, culvert, or sewer, should be paid out of any general funds of the city, or out of money borrowed for municipal purposes, it may, at the time such improvement is determined upon and before any liability therefor has been incurred, and not afterwards, either by resolution or ordinance determine what proportion of the entire cost and expenses of such improvement, including the cost of land and right of way therefor, shall be so paid, and the remainder of such cost and expense shall be assessed upon the lots and parcels of land deemed to be benefited thereby as herein provided.

When to be paid out of general road fund.

§ 157—SEC. 20. (*As Amended* 1893.) Whenever it shall be necessary to take up entirely and lay anew the pavement of any portion of any street previously paved at the expense of the owners of the adjacent property or their grantors, or to change the grade established by the city, of any street which has been graded at the expense of the owners of the adjacent property or their grantors, it shall be the duty of the common council to determine in the ordinance providing for such improvement what proportion of the entire cost and expense thereof, if any, shall be paid out of the general funds of the city, or out of money borrowed for municipal purposes, and the remainder of such cost and expense shall be assessed upon the lots and parcels of land on the portion of the streets so improved, proportioned according to the respective benefits thereto, as near as may be, in the manner provided in this chapter for the assessment and collection of the cost and expense of other local improvements.

In case of invalid assessment.

§ 158—SEC. 21. Whenever any special assessment for the improvement of a street or for any other public work shall, in the opinion of the common council, be invalid, said council may vacate and set the same aside; and when any such special assessment shall be so vacated, or shall be held invalid by the judgment or decree of any court of competent jurisdiction, said council may cause a new special assessment to be made for the

purpose for which the original assessment was made. □ Such new assessment shall be made in the manner provided for making original assessments of like nature in force at the time when such assessment shall be made. And whenever the tax of [or] any part thereof, assessed upon any lot or parcel of real estate by the original assessment set aside or held invalid as aforesaid, has been paid, and shall not have been refunded, it shall be the duty of the receiver of taxes to apply said payment upon the re-assessment on said lot or parcel and to make a minute thereof upon the new assessment roll, and such re-assessment shall, to the extent of such payment, be deemed paid and satisfied. All the provisions of the charter making special assessments a lien upon the lots and parcels of real estate embraced therein, and also those relating to the collection of special assessments, shall apply to re-assessments made under this section. The provision of this section shall apply to special assessments heretofore made by the common council of the village of Marquette, as well as to those which shall hereafter be made.

§ 159—SEC. 22. (*As Amended 1897.*) The common council shall have power to provide by general ordinances for the collection of all special assessments, by distress and sale of the personal property of the person liable to pay such assessments, wherever the same may be found within the county of Marquette, and in case no such personal property be found, by a sale of the real estate on which such assessment is levied: *Provided*, That the common council may, in the case of any special assessment, direct a suit to be commenced and prosecuted in the name of the of the city, in a court of competent jurisdiction, for the recovery thereof; and in such case an action of debt or assumpsit may be maintained thereon, and the several courts of this State shall have and exercise jurisdiction thereof, in the same manner and to the same extent as in the case of suits between individuals; but the institution and prosecution of such suit shall not in any case be deemed a waiver by the city of its lien upon the real estate for such assessment; *And provided further*, That the common council may by resolution or ordinance direct a suit to be instituted in the circuit court for the county of Marquette, in chancery, for the enforcement and foreclosure of the lien of any such assessment or assessments that may be delinquent, whether heretofore made, or hereafter to be made. Such suit shall be in the name of the City of Marquette, and any or all owners and other persons interested in any or all of the real estate embraced in any one assessment roll, on which such assessments shall be delinquent, may be joined as parties defendant to such suit. In any bill filed for the commencement of such suit, it shall be a sufficient allegation of such assessment to set forth that the several parcels of real estate, describing them, have been duly assessed for a local improvement, pursuant to law and an ordinance or ordinances enacted by the common council of the city of Marquette, setting forth the nature of the improvement and the amount of the assessment upon each parcel

Collection of
special
assessments.

Suit may be
brought.

Chancery
foreclosure.

Allegations
of bill.

Subsequent proceedings.	of real estate embraced in such bill. Such bill shall set forth that such assessments are due and remain unpaid, and shall state the name of the owner of each parcel, according to the best information of the complainant, and the name of any other person who may be known to be interested therein. All subsequent proceedings in such suit shall be in accordance with the established practice of courts of chancery for the foreclosure of mortgage or other liens on real estate. The decree of the court shall specify the amount of lien against each parcel of real estate, shall order the payment thereof within some short reasonable time to be fixed by the court, and the sale of such parcels as shall not be paid within the time so fixed, or so much thereof as shall be sufficient to raise the amount decreed against the same respectively, with interest, costs and expenses of sale, and which may be sold separately without material injury to the interests of the owner. The cost of such suit shall be taxed against the several parcels of real estate, and the owners thereof, and such costs as shall be properly taxable to all shall be apportioned equally among the several parcels. In all other respects the decree shall be substantially the same as an ordinary decree for the foreclosure of a mortgage or other lien, and the sales thereunder shall be made in the same manner and upon the same notice as is required for other sales under chancery decrees in this State, and the expenses of sale shall be equally divided among the several parcels advertised for sale under the decree. If any parcel of real estate shall fail to sell for sufficient to pay the amount decreed against the same, with interest, costs and expense of sale, said city shall be entitled to a decree for the deficiency thereof against the person or persons personally liable therefor and an execution to collect the same. The officer making such sales shall give conveyance and make report as required by law and the practice of the court; and the practice as to filing exceptions thereto, and confirmation of such sale, shall be in accordance with the usual practice of the court in case of sales under foreclosure decrees. No sale shall be made on any such decree until after the expiration of one year from the commencement of such suit. The City of Marquette shall have power to become the purchaser on any such sale, or on any sale of real estate that may be made under the provisions of this charter or the ordinances of said city, for such assessments. All sales made under any such decree shall become absolute on the confirmation thereof, and the purchaser shall be entitled to a writ of assistance to obtain possession of the property purchased, as in case of sales under foreclosures of mortgages.
Decree.	
Costs, how taxed.	
Sales.	
Decree for deficiency.	
Deed and report.	
City may purchase.	
Writs of assistance.	
Railroads to maintain street crossings, etc.	<p>§ 160—SEC. 23. Every person, co-partnership, or corporation owning or operating any railroad, crossing any of the streets of said city, shall provide and maintain suitable crossings; and whenever in crossing any street any cut or excavation shall be made, such person, co-partnership, or corporation shall build and keep in repair in such manner as shall be approved by the common council, a good, strong and substantial double track</p>

bridge and shall repair strengthen or rebuild the same whenever ordered by the common council; and if any such person co-partnership, or corporation shall neglect or refuse to construct, repair, strengthen, or rebuild any such bridge in the manner and within such time as the common council shall direct, it shall be lawful for said common council to procure the same to be done by contract in the same manner as in the case of street or other improvements, and may assess the expenses thereof, together with costs of collection upon the persons, co-partnership or corporation owning or operating said railroad as aforesaid, to be collected in the manner provided by the ordinances for collecting special assessments: *Provided*, The common council may, Proviso. if they shall deem it preferable, fill up such excavation and assess the expenses thereof as aforesaid.

§ 161—SEC. 24. (*As Amended 1893.*) There shall be annually Dog taxes. levied and collected in said city the following tax upon dogs, viz.: Upon every male dog owned and kept by any person or family within said city, one dollar and fifty cents; upon every female dog owned and kept by any person or family; three dollars, and every person harboring any dog or dogs, or permitting the same to be and remain about his premises or dwelling, Who deemed owners of dogs. or any other lot, barn or premises used or occupied by him or her, shall be deemed the owners of such dog or dogs within the meaning of this act.

§ 162—SEC. 25. (*As Amended 1893.*) The controller of said Controller to make list, etc. city at the time of making his annual assessment roll shall inquire and ascertain the number of dogs liable to be taxed in said city and shall enter in a list to be made by him the name of every person in said city owning, keeping or harboring any dog subject to tax, the number kept by such person, the sex of such dogs and the amount of tax to be paid by such person. The controller of said city shall, on or before the first day of July in each year, make out and file with the recorder a duplicate of said To file duplicate with recorder. dog tax list as made by him under the provisions of this chapter, and shall deliver the said list to the marshal of said city with his To deliver list to marshal with warrant. warrant annexed thereto, authorizing and directing the city marshal to demand and collect from any person named in said list the amount of such taxes; and the said marshal shall have the same power to distrain and sell any personal property of the owner or owners of said dogs liable to be taxed as is possessed by the city treasurer in the collection of city taxes upon personal property. The marshal of said city shall be charged with said taxes Duty of marshal. upon the books of the controller and shall within thirty days next after said list and warrant is received, demand and receive from every person named in said list the amount of such tax, and upon the refusal of any person named in said list to pay said tax to levy and collect the same by distress and sale of the Marshal to be charged with taxes. personal property of such person as herein provided. To collect.

The owner or keeper of any dog or dogs not entered on said Further Entries. list by the controller may apply to the marshal while said list is in his hands, and have entry thereof made by the marshal there-

in, and the marshal shall also make entries on said list of all matters required herein to be made by the controller, but omitted by him, which shall come to the knowledge of the marshal, and all entries herein authorized to be made by the marshal shall have the like effect as if originally entered upon said list by the controller, and when so made the marshal shall forthwith cause the like entry thereof to be made upon the duplicate of said list on file with the recorder and notify the controller thereof.

To notify
controller.

Marshal to
pay taxes to
treasurer.

§ 163—SEC. 26. (*As Amended* 1893.) The marshal shall within the time limited in said warrant pay over to the city treasurer the amount of the tax as mentioned in said list, and take duplicate receipts thereof from the city treasurer and attach one of the same to said tax list and return the same to the office of the treasurer, whose duty it shall be to file and preserve the same, and entries therein may be made in the same manner by the treasurer as is herein provided may be made by the marshal with the like effect, which entry shall be forthwith reported by the treasurer to the recorder, and shall be entered upon the said duplicate list. The treasurer shall receive and receipt for any taxes on said list remaining unpaid or entered thereon by him, which collection shall be reported by him to the controller, and the common council may direct the collection of any such taxes remaining unpaid, by any appropriate action, and may punish for the keeping or harboring of any dog or dogs upon which said tax has not been paid.

Treasurer
may receive
taxes.

Punishment
for keeping
untaxed dogs.

Marshal
liable, etc.

§ 164—SEC. 27. (*As Amended* 1893.) The marshal shall be personally liable to the city for the whole amount of the taxes mentioned in said lists, excepting such portion thereof as upon a showing of the reasons of his inability to collect he shall be relieved thereof by the city council. The recorder shall annually in proper time procure at the expense of the city at least the number of tags that the lists mentioned in this act shall show to be the number of dogs in said city liable to taxation. The said tags shall be of brass or iron, shall be one inch in diameter and shall be numbered consecutively, and shall have upon one side thereof the words, "Marquette dog tax," with the proper year, and upon the other side the number of the license hereafter provided for.

Recorder to
procure tags.

Tags.

Marshal to
give receipts.

§ 165—SEC. 28. (*As Amended* 1893.) It shall be the duty of the marshal, upon payment of any such dog tax to him, to deliver to the person or persons paying the same, a receipt therefor, showing the amount of such tax paid, and the number and sex of the dog or dogs upon which it is paid. Upon receiving such receipt it shall be the duty of the person receiving the same to present the same to the recorder, whose duty it shall be to note in the duplicate list of dog taxes in his office, the payment of said taxes and date and amount thereof, and shall deliver to the person receiving such receipt one of said tags, numbered in its order, for each dog upon which tax is paid, and shall countersign and return said receipt to such person. It shall be the

To be
presented to
recorder, etc.

Duty of
recorder.

duty of the person receiving such tag or tags and the owner of every dog in said city, to cause one of said tags to be securely fastened to or about the neck of each dog owned, kept or harbored by such person, by a proper collar of leather, brass, steel, nickel, iron or other proper material, and kept thereon until the first day of July next thereafter, and no longer; and in case of the loss of any such tag, it shall be necessary for such owner or keeper to file an affidavit of such loss with the recorder, and procure from him a duplicate of said tag and pay therefor a fee of fifty cents to said recorder, who shall enter on said duplicate list the fact and date of the issue of said duplicate tag, and shall pay over said fee to the treasurer and report the same to the controller.

Tags to be attached to dogs.

In case of loss of tags.

§ 166—SEC. 29. (*As Amended 1893.*) Any dog running at large, without such collar having one of such tags attached thereto, shall be deemed and is hereby declared to be a public nuisance and may be killed and destroyed by the marshal or any police officer or nightwatchman of said city, and it is hereby made the duty of the marshal and the police and nightwatchman of said city to kill and destroy all such dogs: *Provided*, The provisions of this section shall not apply to dogs owned by or in charge of non-residents of said city, temporarily sojourning therein, when accompanied by their owners or custodians.

Killing of dogs.

Proviso.

§ 167—SEC. 30. (*As Amended 1893.*) Any person may kill any dog that he may see chasing, killing or wounding any sheep, lamb, swine, cattle or other domestic animal out of the enclosure of the owner or keeper, unless the same is done under the direction of the owner or keeper, or any dog that may suddenly assault such person while peaceably walking or driving anywhere outside the enclosure or premises of the owners of such dog.

Dogs worrying domestic animals may be killed.

§ 168—SEC. 31. (*As Amended 1893.*) The owner or keeper of any dog or dogs shall be liable in an action of trespass on the case for any damage or injury to any person or domestic animal by such dog owned or kept by him, and in such action it shall not be necessary to a recovery to prove the owner or keeper of any such dog had knowledge of the vicious character of such dog, or was accustomed to bite, worry or chase any person or domestic animal, or any team, horse, sleigh, wagon, or other vehicle outside the enclosure of the owner or keeper.

Owner of liable for injury.

§ 169—SEC. 32. (*New 1893.*) No person shall keep, harbor or maintain on or about his or her dwelling, barn or other premises any dog accustomed to biting or chasing persons or domestic animals, or known to have bitten, chased or worried any person or domestic animal not the property of such owner or keeper, and the owner or keeper shall within forty-eight hours after receiving notice in writing of the vicious character of such dog cause such dog to be killed.

Keeping of vicious dogs, prohibited, etc.

§ 170—SEC. 33. (*New 1893.*) No female dog shall, while in heat, be permitted or allowed to run at large in any place within said city, and during such period of heat such female dog shall

Running at large, etc., of female dogs.

be securely chained up within some building or enclosure in such manner that such female dog cannot be seen from any public ground, space, lane or alley within said city, nor from the doors or windows or any public school or building, nor from the doors or windows of any dwelling or building within said city.

Spurious tags. § 171—SEC. 34. (*New 1893.*) No person shall cause or permit any tag made in imitation of the tag mentioned in this act, or similar in size, shape and material thereto, or any tag issued to another person or for the tax on any other dog, to be attached to or worn by any dog in his possession or under his control.

Violation of this chapter, how punished. § 172—SEC. 35. (*New 1893.*) Any person violating any of the provisions of this chapter shall be guilty of misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than ten nor more than one hundred dollars, and be imprisoned in the city or county jail not exceeding ninety days or both at the discretion of the court.

Fines, etc. § 173—SEC. 36. (*New 1893.*) The fines, forfeitures, penalties, fees and taxes prescribed and levied and collected under this act shall belong to the contingent fund of said city.

Collection of special assessments on general tax roll. § 174—SEC. 37. (*New 1897.*) After any special assessment, heretofore or hereafter made, has become payable the common council may at any time direct that any or all of the assessments unpaid thereon, and the costs, charges, penalties and interest thereon, shall be collected on the general tax roll. **Controller to levy.** The controller shall levy the amount of such assessments and accrued costs, charges, penalties and interest, to be computed by him, upon the respective lots and premises against which such assessments were originally made and against the persons chargeable therewith, as a tax in the assessment and tax rolls next thereafter to be made, in a column or columns for special assessments; and thereupon the amount so levied in said rolls shall be collected and enforced with the other taxes in said rolls and shall be returned to the county treasurer and auditor general if delinquent in the same manner; and subsequent proceedings shall be had and sales made and deeds given therefor by the auditor general, the same as on and for sales for other delinquent taxes, with the same force and effect; and said taxes shall continue to be a lien upon the premises assessed until paid.

Sums collected to be paid to city. § 175—SEC. 38. (*New 1897.*) All sums collected for such special assessment on any such tax roll, including redemptions and proceeds of sales, less lawful expenses of collection, shall be accounted for and paid to said city as other local taxes collected on any such rolls.

Collection of special assessment otherwise than on general tax roll. § 176—SEC. 39. (*New 1897.*) Until the common council shall direct the collection of any special assessment on the general tax roll, and until the same has been levied thereon, collection of the same shall be proceeded with and enforced in such manner as is or may be provided by the charter and ordinances of the city; and when any such special assessments shall be levied on any general tax roll, entry of that fact and of the

year's roll on which the same is levied, shall be made on the special assessment roll on which such assessment was made.

§ 177—SEC. 2. (*Act of 1897.*) All acts and parts of acts ^{Repeal.} contravening the provisions of this act are hereby repealed.

CHAPTER XIII.

COMPENSATION AND DUTIES OF OFFICERS.

§ 178—SEC. 1. (*As Amended 1893.*) The officers of said cor- Mayor.
poration shall be entitled to receive out of the city treasury
the following sums in full payment for their services: the mayor
shall not be entitled to receive any compensation; the controller, ^{Appointed}
recorder, marshal, city attorney, street commissioner, health officers.
officer, park commissioner, cemetery commissioner, harbor-
master, city engineer and other officers whose compensation is
not herein otherwise provided for shall be entitled to receive
respectively such sums as the common council may allow, and
the marshal shall be entitled to receive the same fees for serving ^{Fees to}
process in behalf of the corporation as constables are allowed marshal.
for similar services, the treasurer, justices of the peace, and con-
stables shall be allowed the same fees as are by law allowed to
corresponding officers, unless in this act otherwise provided; the
aldermen shall not be allowed to receive more than one dollar ^{Aldermen.}
each in any year as compensation for their services, except
when acting upon the board of registration and board of elec-
tion, for which services they shall receive as follows: For ser-
vices upon the board of registration, three dollars per day; and
for services upon the board of election, five dollars for each
election. Supervisors and persons other than aldermen serving ^{Election}
on either of said boards shall receive the same pay as herein officers.
provided for aldermen. Clerks of election shall receive five
dollars for each election. Gatekeepers and other officers of ele-
ction whose compensation is not herein otherwise provided for
shall receive three dollars for each election.

§ 179—SEC. 2. The supervisors of said city, as herein before ^{Supervisors.}
provided, shall receive such compensation for their services,
while actually employed in their duty as supervisors, excepting
when employed as members of the board of supervisors, the same
sum as supervisors performing like duties in townships are, or
may be hereafter, allowed by law, which compensation shall be
audited and paid by the common council of said city.

§ 180—SEC. 3. (*As Amended 1893.*) The mayor shall be ^{Mayor on}
ex officio a member of the board of water and fire commissioners ^{water board.}
of said city, but without compensation.

§ 181—SEC. 4. Before [for] the collection of all taxes, the ^{Collection}
city treasurer or other person appointed to collect the same, fees.
shall be entitled to receive such percentage as is, or shall be,
prescribed by law for township treasurers, and may be added
by him to the taxes in like manner as township treasurers are or

may hereafter be authorized to add the same, and for the collection of all special assessments, the said treasurer or other person appointed to collect the same shall be entitled to receive such percentage as the common council shall by general ordinance prescribe, to be added and collected in the same manner as special assessments.

CHAPTER XIV.

MISCELLANEOUS PROVISIONS.

- Power to administer oaths.** § 182—SEC. 1. The chairman of any committee or special committee of the common council shall have power to administer any oath or take any affidavit in respect to any matter pending before the common council or such committee.
- When guilty of perjury.** § 183—SEC. 2. Any person who may be required to take any oath or affirmation under or by virtue of any provision of this act, who shall, under such oath or affirmation, in any statement of [or] affidavit, or otherwise, willfully swear falsely as to any material fact or matter shall be guilty of perjury.
- Double costs in certain cases.** § 184—SEC. 3. If any suit shall be commenced against any person elected or appointed under this act to any office, for any act done or omitted to be done under such election or appointment, or against any person for having done any thing or act by the command of such officer, and if final judgment be rendered in such suit, whereby any such defendant shall be entitled to costs, he shall recover double costs in the manner defined by law, and no court shall have jurisdiction of any such action while such person remains a resident of said city, except a court within such municipality, or the circuit court for the county of Marquette.
- Duties of standing committees.** § 185—SEC. 4. The duties of standing committees shall be prescribed by general ordinance. Such committees shall have power to subpoena witnesses, to compel their attendance, and production of the necessary papers in all examinations pending before them; and to that end the common council may prescribe and regulate the necessary proceedings and confer upon the marshal or other officers of the corporation all needful powers for the purposes aforesaid.
- Meetings of council.** § 186—SEC. 5. The common council shall hold regular sessions at such times and places as they shall by ordinance or by resolution direct, and may adjourn regular sessions from time to time as may be deemed expedient; and they may hold special sessions and adjourn the same in the same manner as regular sessions, and they may provide for calling special sessions otherwise than as herein provided.
- Suits to be in corporate name of city.** § 187—SEC. 6. All suits by or against said city shall be in the corporate name thereof, and all process or other papers in any such suits against said city, shall be served by leaving a copy thereof with the mayor or recorder of said city: *Provided*, That after said city shall have appeared in such suit by at-
- Proviso.**

torney, all subsequent notices and papers therein shall be served on such attorney, as in other cases.

§ 188—SEC. 7. The supervisors of the several wards shall in each year, at the session of the board of review for the correction of the assessment roll, select from the names of residents of their respective wards, appearing on said assessment roll, the same number of persons qualified to serve as jurors in courts of record, and return the same to the county clerk in the same manner as supervisors of townships are or may be required by law to do, and with like effect. Jury lists.

§ 189—SEC. 8. The said city shall have its just proportion of the present indebtedness of the township of Marquette, to be determined by the township board of said township, and the common council of said city, in the same manner as claims between townships are adjusted in similar cases, and shall have its share of the property of the said township, to be divided in a like manner. Of debts, etc., of township.

§ 190—SEC. 9. All property, real, personal and mixed, and rights of property in law or in equity, and all debts, fines, penalties, forfeitures, rights and causes of action, and all rights and powers not inconsistent with the provisions of this act, which belong, have accrued, or may accrue to the common council of the city of Marquette, or to the inhabitants of the said city in the corporate capacity, shall be and the same are hereby declared to be fully and absolutely vested in the corporation created by this act, to be held subject to the provisions hereof, and may be prosecuted for and recovered or claimed, asserted and maintained by said corporation in its own name, or in any other lawful manner, and all actions that may be pending between the common council of the city of Marquette and any person or persons, at the time when this act shall take effect, may be prosecuted to final judgment without abatement or delay in the same manner as if this act had not been passed, except that in all proceedings subsequent to this act the corporate name of said city shall be substituted therein for that of the common council of the city of Marquette. All property vested in city.

§ 191—SEC. 10. All ordinances, by-laws, regulations, resolutions and rules of the common council of the city of Marquette now in force and not inconsistent with this act shall remain in force until altered, amended or repealed by the common council under this act and after the same shall take effect. Present ordinances to continue.

§ 192—SEC. 11. (*As Amended 1893*). The corporation created by this act shall pay and discharge all the debts, obligations, contracts and liabilities of the city of Marquette; and suits may be brought and prosecuted thereon in the same manner, either in law or equity, and with the same effect as they could be brought or prosecuted against the common council of the city of Marquette, if this act had not been passed; and the action of the common council in executing a certain lease to the Marquette Valley Milling Company, bearing date September second, eighteen hundred and To pay debts of city.

Milling Company lease.

ninety-one, is hereby ratified, and the said lease validated and declared binding upon the said city.

Owners of
property
liable for
damages in
certain cases.

§ 193—SEC. 12. Whenever an action shall have been maintained, and judgment recovered against said city by any person on account of damages sustained by reason of any defective sidewalk, or opening in the same occasioned by the wrong or negligence of the owner or occupant of the premises in front of which the sidewalk shall be, or on account of any excavation in the streets by any gas, hydraulic or railroad company, or by any other corporation, or by any person or persons, and such owner, occupant, or company, or persons, shall have been reasonably notified to appear and defend said action. The judgment, if any, obtained against said city, shall be conclusive as to the amount of damages and the validity of the claim of the city against such owner, occupant or company, or in any other proper form of action: *Provided*, That no person or corporation shall be liable, as provided in this section, to the city on account of failure to keep any sidewalk in repair, unless such person or corporation shall have received at least twenty-four hours' notice to repair or correct the defect complained of, which occasioned the injury for which damages were recovered against the city.

Proviso.

Other powers,
etc.

§ 194—SEC. 13. The common council of said city is hereby authorized and required to perform the same duties in and for said city as are by law imposed upon township boards of the several townships of this State in reference to all matters not herein otherwise provided for; and the city clerk or his deputy shall perform all the duties of township clerk or which township clerks are authorized to perform, that are necessary to be performed in said city, and not otherwise herein provided.

Acts repealed

§ 195—SEC. 14. All former acts and parts of acts relating to the City of Marquette, which are repugnant to this act are hereby repealed, but nothing herein contained shall be construed to destroy, impair or take away any right or remedy acquired or given by any act hereby repealed; and all proceedings commenced under any such former act shall be carried out and completed in the same manner, as near as may be, as provided in such former act or acts; and all claim or interest of the city in lands heretofore sold to, or bid in by the City of Marquette for delinquent taxes assessed in said city, may be sold and conveyed by the recorder of the city in the same manner that the same might have been sold and conveyed by the recorder of said city had not this act been passed, and with like effect; and any purchaser of lands sold for taxes in said city shall, if the lands so purchased is not redeemed as provided in said act or acts, be entitled to a deed from the recorder of the city, in pursuance of the powers herein conferred, shall be as valid and effectual as though the same had been executed by the recorder of the City of Marquette, under and in pursuance of the powers conferred upon said recorder of said city.

Of former
proceedings,
acts, etc.

§ 196—SEC. 15. All prosecutions for any offense committed, or penalty or forfeiture incurred, shall be enforced in the same manner in all respects and with the same effect, as if this act had not been passed. Prosecutions, etc., to be enforced, etc.

§ 197—SEC. 16. In all cases in which any power is conferred by this act upon the common council of the city, or upon any officer mentioned herein, and the manner of exercising or enforcing such power is not herein pointed out, or sufficiently and accurately described, the common council may prescribe the manner of exercising and enforcing all such powers, and may pass such ordinances in relation to all such matters and things not inconsistent with the constitution of the United States and of this State as they may deem proper. Council shall prescribe etc.

§ 198—SEC. 17. The board of water and fire commissioners of the City of Marquette, created by Act number two hundred and forty-three of the session laws of eighteen hundred and sixty-nine, is hereby continued in existence under the name of the "Board of fire and water commissioners of the City of Marquette," with all the powers conferred and all the duties prescribed by said act; and all the duties by said act devolved upon the president of the village of Marquette are hereby directed to be performed by the mayor of the City of Marquette; and the common council of the City of Marquette shall possess all powers, and perform all duties, by said act conferred upon or prescribed to the common council of said village, and said act is hereby declared to be of force in the city of Marquette, hereby created in the same manner, and to the same effect, as though the word "city" was used in lieu of the word "village" in said act, and said board shall possess and exercise the powers given them by said act, to be possessed and exercised in said village of Marquette, throughout and in all parts of the city hereby created. Certain board continued, etc.

§ 199—SEC. 18. This act shall be deemed a public act, and shall be favorably construed in all courts and places whatsoever. Public act.

§ 200—SEC. 19. If for any reason any place designated by this act as the place for holding the first election herein provided for or designated by the common council for any subsequent election, cannot be used for such purpose, the electors of the ward who are assembled at such place at the hour for opening the polls may adjourn thence to any other proper place in the same ward, and may there meet and hold such election: *Provided*, That some person of suitable age shall be left at such first mentioned place, whose duty it shall be to notify all electors coming there of the place to which said polls have been adjourned. Election may be held at other than place designated. Proviso.

§ 201—SEC. 20. (*As Amended 1898.*) On the same day, or on the week day next following the passage of any ordinance, the recorder shall present the same to the mayor or other person performing the duties of the mayor, for his approval. No ordinance shall be of any force without the written approval of the mayor or other person performing for the time-being the duties of his Recorder to present ordinance to mayor for approval.

office, unless he omit to return it to the recorder with his objections thereto, within three days, Sundays excepted, after its presentation to him, in which case it shall be deemed regularly enacted. If after the return of the ordinance, with the objections thereto as aforesaid, the same shall be passed or re-enacted by a vote of two-thirds of all the aldermen in office the ordinance shall be deemed regularly enacted, and the time of its re-enactment shall be deemed to be the time of its passage.

To certify to the time of presenting same.

§ 202—SEC. 21. (*As Amended* 1893.) At the time of presenting any ordinance to the mayor, or other person performing the duties of mayor, for his approval, the recorder shall certify thereon, and also in the journal or record of the proceedings of the council, the time when the same was so presented, and shall also certify thereon, and in such journal or record, the time of the return of such ordinance, and whether approved or with objections, and shall at the next meeting of the council report any ordinance returned with objections thereto.

Revived ordinance to be re-enacted.

§ 203—SEC. 22. (*As Amended* 1893.) No ordinance shall be revived unless the whole or so many as is intended to be revived; shall be re-enacted. When any section of an ordinance is amended, the whole section, as amended, shall be re-enacted.

Approved ordinances to be recorded.

§ 204—SEC. 23. (*As Amended* 1893.) All ordinances, when approved by the mayor, or when regularly enacted, shall be immediately recorded by the recorder in a book called "The record of ordinances," and it shall be the duty of the mayor and the recorder to authenticate the same by their official signatures upon such record.

To be published in newspaper.

§ 205—SEC. 24. (*As Amended* 1893.) Within one week after the approval or re-enactment of any ordinance the same shall be published in some newspaper printed and circulated within the city, and the recorder shall immediately after such publication, or the last publication of any ordinance requiring more than one publication, enter on the record of ordinances, in a blank space to be left for such purpose under the recorded ordinance, a certificate stating in what newspaper and of what date or dates such publication was made, and sign the same officially, and such certificate shall be *prima facie* evidence of the legal publication of such ordinance being made.

OF SCHOOL ELECTIONS.

Limits of school district number one.

§ 206—SEC. 25. (*New* 1895.) The limits of school district number one of the city of Marquette shall be co-extensive with the boundaries of the city. There shall be held a regular annual election of school trustees in said district on the first Monday of September of each year. Such annual election of school trustees, as above provided, shall be held at such place in said city as the board of school trustees shall designate. The polls shall be open at nine o'clock in the forenoon and shall continue open without intermission or adjournment until the hour of eight o'clock in the afternoon, at which time they shall be finally

Annual election of school trustees, when held. Polls.

closed. Said election shall be by ballot, and shall, except as herein otherwise directed, be conducted in all respects in the manner provided by law for conducting the election of officers in graded school districts. Notices of the time and place of holding such election shall be given by the secretary of the board, at least ten days before said election, by posting such notices in three of the most public places in each ward of the city, and by publishing a copy thereof in one or more newspapers published in the city, the same length of time before the election.

(a) The president and secretary of the board of school trustees, and one other trustee, to be designated by the board, shall constitute a board of inspectors of such election, and if any of said three trustees shall not be present at the time of the opening of the polls or remain in attendance, the electors present may choose *viva voce* such number of such electors as with the trustee or trustees present shall constitute a board of three inspectors of such election. Each of said inspectors shall take the required oath to faithfully perform the duties of inspector of such election. The president of the board shall be chairman of the board of inspectors. In his absence the inspectors shall elect one of their number as such chairman. Every person shall be entitled to vote at such election who is a qualified voter of the city or qualified by the laws of the State to vote at any election for school officers. The board of inspectors shall have the same authority and powers in maintaining and enforcing order and obedience to their lawful commands at such elections and during the canvass of the votes as are conferred by the general laws of the State upon school officers in similar cases.

(b) The board of inspectors shall make a poll list of the names of persons voting at such election. They shall also have the right of access to the registration books of the several wards of the city, if they deem it necessary, and for that purpose they may require the city clerk to attend said election with such registers.

(c) When said polls shall be finally closed, the board of inspectors shall immediately proceed publicly to count, determine and declare the number of votes cast and for whom, and shall, on the same or the next succeeding day, make up and sign a statement in writing, showing the whole number of votes cast, and the number votes cast for each person for whom votes were cast, which statement shall be signed by the inspectors, and together with the minutes and other papers of the election, shall be filed with the secretary of the board of school trustees. The person or persons who shall have received the highest number of votes for such office of trustee for the several terms designated upon the ballot shall be declared elected, and if two or more persons shall have received an equal number of votes where only one trustee is to be elected, said inspectors shall choose one of such persons by lot, as such trustee. The

Notice.

Board of
Inspectors.

Oath.

Who shall be
entitled to
vote.Board to
make poll
list.Board to pub-
licly count
and declare
number votes
cast and for
whom.To make and
sign state-
ments.The person
receiving
highest
number of
votes cast to
be declared
elected.

Ballots to be returned to box, locked, sealed, and deposited with secretary.
Oath.

ballots shall, when the vote shall have been declared, be returned to the box, and the box be locked and sealed and deposited with the secretary at the time of the filing of said statement. Every person so declared elected to the office of school trustee, under the provisions of this act shall, within ten days after such election, qualify by taking and subscribing the required oath of office and filing the same with the secretary of the board of school trustees.

Compensation and expenses to be paid from contingent fund.

(d) The board of school trustees shall pay all the expenses of such election from the contingent fund of the district, and shall allow each inspector of election the same compensation as is allowed to inspectors at city elections.

General school law to govern when not otherwise provided for.

(e) When not otherwise provided in this act the general school law of the State shall govern in regard to all matters pertaining to said school district.

NOTE.—*Qualification of Electors at School Elections:* Secs. 17 and 18 of Chap. 2, Act No. 164, Laws 1881, amended by Act No. 15 and Act No. 258, Laws of 1895, are as follows:

SEC. 17. (*In effect Aug. 31, 1895.*) Every citizen of the age of twenty-one years, who has property assessed for school taxes in any school district, and who has resided therein three months next preceding any school meeting held in said district, or who has resided three months next preceding such meeting on any territory belonging to such district at the time of holding said meeting, shall be a qualified voter in said meeting upon all questions, and all other citizens who are twenty-one years of age, and are the parents or legal guardians of any children included in the school census of the district, and who have for three months as aforesaid, been residents of said district or upon any territory belonging thereto at the time of holding any school meeting, shall be entitled to vote on all questions arising in said district, which do not directly involve the raising of money by tax.

SEC. 18. If any person offering to vote at a school district meeting shall be challenged as unqualified by any legal voter in such district, the chairman presiding at such meeting shall declare to the person challenged the qualifications of a voter; and if such person shall state that he is qualified, and the challenge shall not be withdrawn, the chairman shall tender to him an oath, in substance as follows: "You do swear (or affirm) that you are a citizen of the United States, that you have been for the last three months an actual resident of this school district, or residing upon territory now attached to this school district, and that you pay a school district tax therein;" and every person taking this oath shall be permitted to vote upon all questions proposed as such meetings. Or he may take the following oath, to-wit: "You do swear (or affirm) that you are a citizen of the United States, that you have been for the last three months an actual resident of this school district, or residing upon property now attached to this school district, and that you are the parent or legal guardian of one or more children now included in the school census of the district;" and he may vote upon all questions which do not directly involve the raising of money by tax. If any person so challenged shall refuse to take such oath, his vote shall be rejected; and any person who shall willfully take a false oath, or make a false affirmation, under the provisions of this section, shall be deemed guilty of perjury. When any question is taken in any other way than by ballot, a challenge immediately after the vote has been taken shall be deemed to be made when offering the vote, and treated in the same manner.

PROVISIONS OF LAW

RELATIVE TO THE

Board of Fire and Water Commissioners

OF THE

CITY OF MARQUETTE.

Being Act No. 243, Laws of 1869, as amended by Act No. 297, Local Acts of 1875; and Act No. 240, Local Acts of 1891; with references to modifying provisions of the city charter.

[ACT NO. 243, LAWS 1869.]

AN ACT to create a board of water commissioners in the village of Marquette, and to define its powers and duties.

§ 207—SEC. 1. *The People of the State of Michigan enact,* Board of commissioners created.
That Joseph W. Edwards, Peter White, Hiram A. Burt, Samuel P. Ely, and William L. Wetmore, and their successors in office, be and they are hereby named and constituted a board of water and fire commissioners of the village of Marquette, in the county of Marquette, who shall be known by the name and style of the "Board of Water and Fire Commissioners of the village of Marquette," and by that name shall have power to contract, sue and be sued, to purchase, hold and convey personal and real estate, Corporate powers.
to have a common seal, to alter and change the same at pleasure, to make by-laws and ordinances, and to do all legal acts which may be necessary and proper to carry out the effect, intent and object of this act. [See Note below.]

§ 208—SEC. 2. The said commissioners shall hold their Term of office.
offices respectively for the term of one, two, three, four, and five years, from the first Tuesday in March, of the year one thousand eight hundred and sixty-nine; said commissioners shall, within thirty days after the passage of this act, decide by lot their respective terms, which decision shall be notified by a Decided by lot.
written statement to the common council of said village, which

NOTE TO SEC. 207. The city charter of 1871 continued in existence this board under the name of the "Board of fire and water commissioners of the city of Marquette." The section continuing the existence and changing the name of the board has been retained in subsequent revisions of the charter and is § 198 of this compilation, which see. Since 1893 the mayor has been *ex officio* a member of the board by virtue of § 180 of this compilation.

Common council to appoint commissioner.	shall be entered of record on the books of said common council; and at their first regular meeting in the month of February, in the year one thousand eight hundred and seventy, and annually thereafter, the said common council shall elect and appoint, on the nomination of the president of said village of Marquette, a citizen of said village, being a qualified voter, as a commissioner, who shall hold his office for five years from the first Tuesday in March next following: <i>Provided</i> , That this section shall not be so construed as to disqualify any member of the said board for reappointment; and in case of the death or resignation, or removal from said village, of any of said commissioners, the common council shall, as soon thereafter as possible, upon the nomination of the president of said village, appoint to fill such vacancy, for the remainder of the term, some citizen of said village, being a qualified voter.
Proviso.	
Choice of officers.	§ 209—SEC. 3. The said commissioners shall choose one of their own number as president, who shall hold his office until the first Tuesday of March next ensuing the date of his election; they shall also appoint a secretary and a treasurer, who shall hold their offices at the pleasure of the board. The treasurer, before entering upon the duties of his office, shall give bonds in such amount as the board may require. In case of a vacancy occurring in the office of president, the said commissioners shall have power to fill the vacancy, as in the first instance.
Vacancy; how filled.	
Oath.	§ 210—SEC. 4. Before entering upon the duties of their office, said commissioners shall each take and file with the village recorder, an oath or affirmation, similar to that provided in the case of other officers of said village.
Quorum.	§ 211—SEC. 5. A majority of said board shall constitute a quorum for the transaction of business.
Powers and duties of commissioners.	§ 212—SEC. 6. It shall be the duty of said commissioners to examine and consider all matters relative to supplying said village of Marquette with a sufficient quantity of pure and wholesome water for domestic use; also, to provide suitable and efficient means for the extinguishment of fires.
May borrow money.	§ 213—SEC. 7. The said commissioners shall have power to borrow from time to time, upon the best terms they can make, for such time as they shall deem expedient, and at a rate of interest not exceeding ten per cent. per annum, a sum of money not exceeding one hundred thousand dollars, upon the credit of said village of Marquette, and shall have authority to issue bonds pledging the faith and credit of said village for the payment of the principal and interest of said bonds which bonds shall issue under the seal of said board of commissioners, and shall be signed by them or a majority of them. And it shall be the duty of said commissioners to cause to be kept an accurate register of all the bonds issued by them, showing the number, date, and amount of each bond, and to whom issued; and it shall also be their duty to present said bonds to the recorder of said village, for entry upon the records of said village; and the said recorder shall certify on each bond that such record has been
Issue bonds.	
To keep register of bonds.	

made: *Provided*, That no such bonds shall be issued, nor in- Proviso.
debtedness be incurred, until the amount proposed to be raised
shall have been submitted to the legal voters of said village, and
been approved by a majority vote, by ballot, of all the electors
of said village, at an annual election therein, due notice of such
submission having been given in the notices of such election; or
at a special election therein, called by the board which is hereby
established, by giving notice thereof, as is required of the re-
corder of said village, in section three of an act entitled "An act
to incorporate the village of Marquette," approved February
10th, 1859.

§ 214—SEC. 8. It shall be the duty of said commissioners to To pay
pay the interest and principal of the bonds issued as aforesaid-as interest.
the same may become due; and the said commissioners may, May purchase
when they have funds for that purpose, purchase the bonds so bonds.
issued as aforesaid, whether the same have become due or not;
and in case the said commissioners shall at any time not have
funds on hand sufficient to meet any of said bonds at the time Issue new
when they shall become due, they shall have the right to issue bonds.
new bonds for such amount, and on such time as they shall deem
expedient, in the place of bonds so becoming due as aforesaid;
the said old bonds to be canceled in the registry thereof, and the
said new bonds to be recorded in the manner hereinbefore pro-
vided.

§ 215—SEC. 9. It shall be the duty of said commissioners, at To make
least thirty days before the time fixed by the charter of said report to com-
village, for assessing village taxes, to make a special report to mon council.
the common council of said village, what, if any sum, will be
needed by said commissioners over and above the revenue of
said board, to meet the payment of interest or principal of said
bonds issued as aforesaid, or to meet any deficiency in operating
expenses; and it shall be the duty of the common council, and
the said common council is hereby authorized and empowered
to raise said amount by special tax, in addition to the amount
authorized in the charter of said village, in the same manner as
general taxes, to be designated a water tax; and the said
amount shall be paid over to said board by the treasurer of said
village.

§ 216—SEC. 10. Said commissioners shall have power, and To purchase
it is hereby made their duty, as soon as may be, after the neces- land, etc.
sary funds have been procured as herein provided, to purchase
such lands and materials, and construct such reservoirs, build-
ings, machinery, and fixtures as shall be deemed necessary to
furnish an ample supply of water for public and private use,
and also to provide such means as shall give an efficient system To guard
of fire protection in said village; and the said commissioners are against fires
hereby empowered and directed to possess and exercise fully
and exclusively all the powers and perform all the duties for the
government, management, maintenance, and direction of the fire
department of the village of Marquette and the premises and
property thereof, which, at the time of the organization of

To take
charge of
fire depart-
ment.

the said board of commissioners, were possessed by, or were under the control of the common council of said village; and the said commissioners shall hereafter have power and authority to extinguish fires in said village, and it shall be the duty of any and all persons in possession of any property, real or personal, belonging to, or set apart for, or in use by or for the fire department of said village, to deliver the same to the control and possession of the said commissioners.

May lay
water-pipes,
and construct
fountains.

§ 217—SEC. 11. Said commissioners shall have power to lay pipes in and through all the streets and alleys of said village, and also to construct, in such localities as they may deem expedient, fire hydrants, and hydrants for public use; and also, with the consent of the common council of said village, to construct fountains in the public squares, or such other public grounds of said village as they shall deem expedient.

May employ
clerks.

§ 218—SEC. 12. Said commissioners shall have power to employ superintendents, clerks, assessors, collectors, engineers, surveyors, and such other persons as in their opinion may be necessary to enable them to perform their duties under this act, and to specify the duties of the persons so employed, and to fix their compensation: *Provided*, That in no case shall said commissioners receive, directly or indirectly, any compensation for their own services.

Proviso.

Water-rates;
assessment
of.

§ 219—SEC. 13. Said commissioners shall, from time to time, cause to be assessed the water rate to be paid by the owner or occupant of each house or other building having or using water, upon such basis as they shall deem equitable; and such water rate shall become a continual lien until paid, upon such house or other building, and upon the lot or lots upon which such house or other building is situated.

Collection of.

§ 220—SEC. 14. Said commissioners shall have power to make and enforce all necessary by-laws and regulations for the collection of said water rates, either by the appointment of collectors to demand the same, requiring payment at the office, shutting off the water, or by a suit at law before any court of competent jurisdiction, or by sale of the lot or premises upon which such rates shall have become a lien: *Provided*, That such sales shall be conducted in the same manner, and have the same force and effect of sales of lots delinquent for village taxes; *And provided further*, That the attempt to collect said rates by any process above mentioned, shall not in any way invalidate the lien upon the said lot or premises.

Proviso.

Ibid.

Commission-
ers may take
private
property.

§ 221—SEC. 15. The said commissioners, and, under their direction, their agents and employes, are hereby authorized to enter upon any land or water, within or without the corporate limits of said village, for the purpose of making surveys, and to agree with the owner of any property which may be required for the purposes of this act, as to the amount of compensation to be paid to such owner; and in case of a disagreement between the commissioners and the owner of any property which may be required for said purpose, or affected by any operation con-

Make com-
pensation
therefor.

nected therewith, as to the amount of compensation to be paid to such owner, or in case any such owner shall be an infant, or insane, or absent from this State, the judge of the circuit court of the judicial district having jurisdiction in the village of Marquette may, upon the application of either party, nominate and appoint three disinterested persons to examine such property, and estimate the value thereof, or damage sustained thereby, and report thereon to said court without delay.

§ 222—SEC. 16. Whenever such report shall have been confirmed by said court, the said commissioners shall pay to said owner, or to such person or persons as the court may direct, the sum mentioned in said report, in full compensation for the property so required, or for the damage sustained, as the case may be; and thereupon, the said commissioners shall become seized in fee of such property, and shall be discharged from all claim by reason of any such damage.

§ 223—SEC. 17. And in case of the refusal by any owner or owners, person or persons, to receive such sum awarded them for property required or damages sustained, then the said commissioners shall deposit with the village treasurer, the sum so awarded, subject to the draft of said owner or owners, person or persons; and thereupon, the said commissioners, and their successors in office, shall become seized in fee of such property so required, and shall be discharged from all claims by reason of any such damage; and the said village treasurer shall keep strict account of all sums so deposited, and shall pay out the same on the drafts of the owner or owners, person or persons, to the credit of whom such moneys may have been deposited.

Ibid.
Proceedings
in case of
refusal of
owners to
receive
damages.

§ 224—SEC. 18. All materials procured or partially procured under a contract with said commissioners, shall be exempt from execution; but it shall be the duty of the commissioners to pay the money due for such materials to the judgment creditor of the contractor, under whose execution such materials might otherwise have been sold, upon his producing to them due proof that his execution would have so attached, and such payment shall be held a valid payment on the contract.

Materials
exempt from
execution.
To whom
money for
same shall be
paid.

§ 225—SEC. 19. If any person shall, without the authority of said commissioners, as delegated through any of their agents, perforate or bore, or cause to be perforated or bored, any main or distributing pipe belonging to the said water-works, or make or cause to be made any connection or communication whatever with the said pipes, or close or cause to be closed, any connection already made, every person so offending shall, for each offense, forfeit a sum not exceeding one hundred dollars and costs of prosecution, to be recovered in the recorder's court of said village, or other court of competent jurisdiction.

Trespass
upon water-
works.

§ 226—SEC. 20. If any person shall willfully do, or cause to be done, any act whereby any work, materials, or property whatsoever, belonging to or being under the control of said commissioners or their agents, for the purpose of procuring or keeping a supply of water, or for the extinguishment of fires,

Injury to
property or
work; how
punished.

shall in any manner be injured, or shall willfully pollute the water, he shall be deemed guilty of a misdemeanor, and upon conviction shall be punishable therefor as other misdemeanors are punished.

Record of proceedings.

§ 227—SEC. 21. The said commissioners shall cause to be kept an accurate record of all proceedings, together with a list of all assessments for water rates, which shall be subject to inspection at all times.

Report of commissioners; contents of.

§ 228—SEC. 22. (*As Amended 1875.*) It shall be the duty of said commissioners to make report to the common council of said city on or before the first day of February of each year, which report shall embrace a statement of the condition and operation of the works; a statement of the funds and securities of said board, and all debts due and owing to and from said board, together with an accurate account of their expenses; also, a list of fires, alarms, losses, and insurance on all property destroyed during the year, which statement shall be certified by said commissioners, and shall be entered of record by the recorder of said village, and published in such manner as said common council may direct.

Restrictions placed on commissioners.

§ 229—SEC. 23. No one of said commissioners shall be interested, either directly or indirectly, in any contract entered into by them with any other person; nor shall they be interested, either directly or indirectly, in the purchase of any material to be used or applied in or about the purposes and uses contemplated by this act, nor shall any commissioner be a member of the common council of said village.

Laws and ordinances.

§ 230—SEC. 24. The said commissioners are hereby invested with full power to make and enforce such by-laws, regulations, and ordinances as may be necessary to carry into effect the object and intent of this act, and to supply any mode or power not already specified herein, and shall cause all such by-laws, regulations and ordinances to be entered in a book, to be kept for that purpose, and signed by the president and secretary, which, when so entered and signed, shall be evidence in any court of justice.

§ 231—SEC. 25. All acts or parts of acts, contravening the provisions of this act, are hereby repealed.

SEC. 26. This act shall take immediate effect.

Approved March 2, 1869.

[NOTE.]

By the provisions of § 80 of the city charter, the controller is to countersign all bonds, etc., and all claims against the board are to be presented to him for audit before allowance and payment, and he is to certify all pay-rolls. He is also to keep accounts of receipts, expenditures, etc., of the board, and is to inquire into, inspect and inventory all finances and accounts, property and assets of the board and they are to make such reports to him as may be required.

[ACT NO. 240, LOCAL ACTS OF 1891.]

AN ACT to authorize the Board of Water and Fire Commissioners of the City of Marquette to borrow money and issue bonds therefor.

§ 232—SEC. 1. *The People of the State of Michigan enact,* That the board of water and fire commissioners of the city of Marquette, in the county of Marquette, be and they are hereby authorized to borrow money to the amount of twenty-five thousand dollars, to be expended in the erection of additional buildings and machinery for the water works of said city, for such time as they shall deem expedient, and at a rate of interest not exceeding six per cent per annum, upon the credit of said city of Marquette. And they are hereby authorized to issue bonds therefor, pledging the faith and credit of said city, for the payment of the principal and interest of said bonds, which bonds shall be issued under the seal of said board of commissioners, and shall be signed by them or a majority of them. Said bonds may be issued with or without interest coupons, and in such form in other respects as said board shall deem expedient.

This act is ordered to take immediate effect.

Approved March 21, 1891.

(See last proviso to § 41 of this compilation.)

PROVISIONS OF LAW
RELATIVE TO
THE LIGHT AND POWER COMMISSION
OF THE
CITY OF MARQUETTE.

BEING AN ACT OF THE LEGISLATURE, APPROVED
MARCH 18, 1897.

AN ACT To create a Light and Power Commission in the City of Marquette, Michigan, and to define its powers and duties.

Appointment of commis- sioners	§ 233—SEC. 1. <i>The People of the State of Michigan enact,</i> That five citizens of the city of Marquette, Michigan, to be appointed by the mayor of said city, and confirmed by a two-thirds vote of the common council of said city, and their successors in office, when appointed, confirmed and qualified, shall be a board of light and power commissioners, of the city of Marquette, in Marquette County, in this State, and they shall be known by the name and style of "The Light and Power Commission of the city of Marquette"; and by that name shall have power to contract, sue and be sued, to purchase and hold real estate, to have a common seal, to alter and change the same at pleasure, to make by-laws and ordinances, and to do all legal acts which may be necessary and proper to carry out the effect, intent and object of this act. Members of the common council of said city shall not be eligible to appointment on said commission, nor shall any appointment thereto be made prior to April fifteenth, eighteen hundred and ninety-seven.
Corporate name.	
General powers.	
Terms of office.	§ 234—SEC. 2. The said commissioners shall hold their offices respectively for the terms of one, two, three, four and five years, in the order appointed, and for the time designated in the appointment, from the fifteenth day of April, eighteen hundred and ninety-seven, and until their respective successors are appointed and qualified. In the event that any person so named shall decline to qualify as such commissioner, or shall subsequently resign, the vacancy shall be filled for the term for which he was appointed by nomination by the mayor of a citizen of said city and confirmation by a two-thirds vote of the common council of said city, and at the expiration of the term of office of any commissioner his successor shall be appointed and confirmed in like manner for the term of five years from and after the fifteenth day of April of the year when appointed, and until his successor is appointed and qualifies; and in case of the death, resignation, or removal from said city or removal from office of any of said commissioners. such vacancy shall be promptly filled
Vacancies, how filled.	
Appointment of successors.	
Vacancies, how filled.	

in the same manner for the unexpired term. Before entering upon the duties of their office all appointees to said commission shall within thirty days after confirmation of their appointment, take and file with the city recorder the constitutional oath of office: *Provided*, That this section shall not be so construed as to disqualify any member of said commission from re-appointment thereon. Oath of office.

§ 235—SEC. 3. The commissioners shall choose one of their number as president, who shall hold his office until the fifteenth day of April next ensuing the date of his election as said president and until a successor is chosen. They shall also choose a secretary from their own number, who shall hold his office at the pleasure of the commission. The city treasurer shall be the treasurer of the commission and shall receive out of the funds of the commission, fees for collections not exceeding one per cent thereof, and not exceeding the sum of one hundred and fifty dollars per annum. In case of a vacancy occurring in the office of president, said commissioners shall have power to fill the vacancy as in the first instance. A majority of said commission shall constitute a quorum for the transaction of business. President to be chosen.
Secretary.
City treasurer to be treasurer of commission.
Vacancy in office of president, how filled.
Quorum.

§ 236—SEC. 4. The said commissioners shall cause to be kept an accurate record of all their proceedings, together with a list of all amounts that shall become due from persons taking power or light from the said commission which proceedings and list shall be subject to public inspection at all reasonable times, under the supervision of the officers of the commission charged with their custody and care, which proceedings shall be published in a newspaper of the city monthly. Record of proceedings to be kept.
Proceedings to be published.

§ 237—SEC. 5. No member of said commission shall be interested either directly or indirectly in any contract entered into by them with any other person, nor shall he be personally interested either directly or indirectly in the purchase of any material to be used or applied in and about the purposes and uses contemplated by this act, or furnishing of any labor or services to said commission. Commissioners not to be interested in contracts, etc.

§ 238—SEC. 6. The said commissioners are hereby invested with full power to make and enforce such by-laws, regulations and ordinances as may be necessary to carry into effect the object and intent of this Act, and to supply any mode of power not specified herein, and shall cause all such by-laws, regulations and ordinances to be entered in a book to be kept for that purpose, and signed by the president and secretary, which when so entered and signed shall be evidence in courts of justice with like force and effect as are the statutes of the State of Michigan; but any such by-laws, regulations or ordinances imposing any fine or penalty for the violation thereof shall not become operative until ten days after the publication thereof in a public newspaper of the city; and a certificate entered in such record by the secretary that such publication has been duly made shall be *prima facie* evidence of the due publication thereof. By-laws, regulations and ordinances may be made.
Record of by-laws, etc.
Publication of by-laws, etc.

General powers and purposes of commission.

§ 239—SEC. 7. Said commissioners are hereby authorized and empowered to purchase, hold and improve lands, water powers, engines, machinery, apparatus and other property, and operate and use the same for the purpose of generating, making and furnishing electricity, gas, power, steam, light and heat, or other form of energy for the efficient lighting of public streets, avenues, buildings and grounds of the city, or for private lighting in said city, and for the purpose of furnishing electricity, gas or steam, power, heat or other form of energy for elevators, machinery or buildings owned by the city or other public corporation, and for the purpose of selling such electricity or gas, light, power, heat or other form of energy to any person, firm or corporation.

Commission to have exclusive management of light and power property.

§ 240—SEC. 8. Said commissioners shall have the exclusive government, control, direction and management of all the lands, machinery, structures, appliances and property, claims and causes of action and evidence thereof which at the time of the organization of said commission are possessed by the said city, and that have been under the control of the common council and the light and power commission of said city acquired for electric lighting and water power purposes, and the title thereto shall vest and be in said commission and they shall succeed to all the rights, liabilities and duties of the common council and the light and power commission in relation thereto.

May sell and convey property.

§ 241—SEC. 9. Said commission may sell and dispose of any personal property or building that may come into their possession or under their control, when no longer needed by them, and they may convey any lands under their control for a site for the use of any state educational reformatory or benevolent institution which may be located on any part of said land, but said commissioners shall not lease or convey any water power or water power site, or any lands which may by the erection of dams, flumes or other structures be utilized therefor, or lease any lands for a longer period than four years.

Limit on power to sell or lease.

Power to construct dams, etc., and erect machinery and apparatus.

§ 242—SEC. 10. Said commissioners, subject to the limitations in this act, shall have power, and it is hereby made their duty, to construct such dams, flumes, reservoirs, buildings, and to purchase and erect such engines, machinery, apparatus, towers, poles, wires, pipes, and structures as shall be deemed necessary by them to enable them to carry out the purposes named in this act; and for said purpose shall have power to erect poles, towers, structures, wires and appliances, and to lay and construct conduits, pipes and man holes in the streets, alleys and public grounds of said city, and in the highways in the Township of Marquette, Marquette County, in this State, for the purposes of its business; but they shall so place and construct the same as to least interfere with the usual and ordinary use of said streets, avenues and public grounds and highways and the free ingress to and egress from properties adjacent thereto, and shall replace in good order all pavement, macadam and turf or other improvements disturbed or injured by them in the pros-

Manner of placing and constructing poles, conduits, etc.

execution of their work. Said commissioners shall utilize, so far as practicable, the property under their control for the purposes for which said commission is established and mentioned in this act, and to efficiently light the streets, avenues, parks and public grounds of the city as they may deem proper, with electricity, gas or other substance; and, as may be required by the common council, to furnish such light, heat and power for the public buildings as they are able to furnish, with the property and equipments under their control. And said commission shall furnish and sell, under such regulations as they may prescribe, to persons and corporations in said city who desire to purchase the same, any such electricity, gas or other light, heat or power which they are able and equipped to supply, and which is not needed for public use.

Board to light streets, parks etc.

Light and power for public buildings.

Light, power, etc., not needed for public use may be sold.

§ 243—SEC. 11. Said commissioners shall fix the rates and charges to be paid for the various kinds of service furnished by them, and shall have power to make and enforce all necessary rules and regulations for the collection of said rates and charges; and penalties may be prescribed by them for delinquencies in the payment thereof, together with interest thereon not exceeding eight per cent per annum from the time when the same becomes payable, and the expense of collection thereof; which they are hereby authorized to charge and collect; and for the collection thereof they are empowered to require payment to be made at the office of the commission or of the treasurer, and may shut off the supply of light, heat or power from delinquents and remove apparatus of the commission from the premises; or they may enforce collection of the same by suit at law before any court of competent jurisdiction, or otherwise, as they may determine. All such rates, charges, rules and regulations shall be entered in the record of the commission, but shall not go into effect until ten days after the publication of the same in a public newspaper of the city, and a certificate entered on such record by the secretary that such publication has been duly made shall be *prima facie* evidence of the due publication thereof.

Commission to fix rates and charges for service.

Collection of rates and charges.

Rates and charges to be recorded and published.

§ 244—SEC. 12. The City of Marquette shall pay monthly from its general funds, for all light and power furnished for public streets and buildings and other public purposes at the rates fixed by such commission; and such payments shall be made by orders drawn on the city treasurer as other city orders, upon the filing with the controller of itemized statements certified by authority of said commission, specifying the light and power so furnished and the rates and amounts charged for the same; the vouchers for which payments and appropriate memoranda thereof shall be entered upon the books of the city as for other city expenditures.

City to pay for public light, etc.

§ 245—SEC. 13. It shall be the duty of said commissioners to make report to the common council of said city on or before the second Tuesday of March of each year, also at such other time or times as the council may deem necessary and demand,

Reports to common council.

Contents of report.	which report shall embrace a statement of the condition and operation of the works, a statement of the funds and securities of said commission, and all debts due and owing to and from said commission, together with an accurate account of the whole of its receipts and disbursements, also a list of light furnished the city for street lighting and a list of the lights furnished the city for lighting public buildings, with the amount received therefor; also a statement of the amount of each kind of light, as well as power, that shall be sold by them; also a statement of all losses incurred or property destroyed during the year or injured in any way, with an estimate of the amount of such injury, which statement shall be certified by said commissioners and shall be entered upon the records of said city, or filed in such manner as said common council may direct.
Certification of report.	
Report to common council of moneys to be raised by taxes.	§ 246—SEC. 14. It shall be the duty of the said commissioners, on or before the first Monday of June in each year, to make a special report to the common council of said city what, if any, sum will be needed by said commissioners over and above the revenue of said commission to meet the payment of interest or principal of bonds, or to meet any deficiency in operating expenses; and it shall be the duty of the common council of the said city, and the said common council is hereby authorized and empowered to raise said amount by special tax in addition to the amount authorized in the charter of said city, in the same manner as general taxes are raised to be designated in said tax roll as light and power tax, and said amount when collected shall belong to the fund controlled by said commission and subject to the order of said commission.
Council to raise amount by special tax.	
Power to borrow money.	§ 247—SEC. 15. The said commissioners shall have power, to borrow from time to time upon the best terms they can make for such time as they shall deem expedient, and at a rate of interest not exceeding seven per cent per annum, and at as much lower rate as possible, a sum of money in addition to indebtedness existing at the time of the passage of this act, not exceeding fifty thousand dollars, upon the credit of said City of Marquette; and shall have authority to issue bonds, pledging the faith and credit of said city for the payment of the principal and interest of said bonds, which bonds shall issue under the seal of said commission, and shall be signed by three of said commissioners and countersigned by the controller; and it shall be the duty of said commissioners to cause to be kept an accurate register of all the bonds issued by them, showing the number, date and amount of each bond and to whom issued; and it shall also be their duty to present said bonds to the controller of said city for entry upon the records of said city kept by him, and the controller shall certify on each bond that such record has been made: <i>Provided</i> , That no such bonds shall be issued, until the amount proposed to be raised shall have been submitted to the legal voters of said city, and been approved by a majority vote by ballot of the electors of said city voting at an annual or special election therein.
Bonds, how issued.	
Record of bonds.	
Proviso.	
Authorization by electors.	

§ 248—SEC. 16. Upon notice to the common council of any resolution of said commission for the raising of money by bonds the common council and city officers shall at any general election submit the question to the electors of said city and determine and declare the result in the manner prescribed by the charter of said city in other cases; or said council shall cause a special election therefor to be held at such time as shall be designated by resolution of said commission for like purposes as aforesaid; and said commission shall determine the form of the ballots.

Council to submit to electors question of borrowing money.

Form of ballots, how determined.

§ 249—SEC. 17. It shall be the duty of said commissioners to pay the interest and principal of the bonds heretofore issued by said city for light and power purposes and hereafter issued by said commission as the same may become due. And the said commissioners may, when they have funds for that purpose, purchase any of such bonds whether the same have become due or not; and in case the said commissioners shall at any time not have funds on hand sufficient to meet any of said bonds at the time when they shall become due, they may issue new bonds for such amount and on such time as they shall deem expedient, in the place of the bonds so becoming due; the said old bonds to be cancelled in the registry thereof, and the said new bonds to be recorded in the manner hereinbefore provided.

Commissioners to pay certain bonds.

May purchase or renew bonds.

§ 250—SEC. 18. If any person shall wilfully do, or cause to be done, any act whereby any work, materials or property whatsoever belonging to or being under the control of said commissioners or their agents, for any of the purposes authorized by this act, whereby the same shall in any manner be damaged or destroyed or shall without the authority of said commission interfere with or connect or disconnect any of the distributing wires, pipes or other conductors or apparatus of said commission or take therefrom any electricity, gas or other power or substance, without such authority, such person shall be deemed guilty of a misdemeanor, and upon conviction shall be punishable therefor as other misdemeanors are punished. And any person so offending shall also for such offense forfeit and pay to said commission a sum of money equal to five times the amount of such damage or five times the value of such electricity, power or substance so taken, and the costs of suit to be recovered in any court of competent jurisdiction.

Wilful damage or destruction or interference with property, etc. a misdemeanor.

Special penalty.

§ 251—SEC. 19. All materials procured, or partially procured, under a contract with said commissioners shall be exempt from execution, and it shall be the duty of the commissioners to pay the money due for such materials, and when such materials are furnished to contractors employed by the said commission in the erection of any of the works under its control above referred to, and when said contractors shall neglect or refuse to pay for materials purchased for said use, the said creditors of the contractor may serve notice upon the president or secretary of said commission of said indebtedness and an itemized statement of the amount, and if said contractors are not already paid

Materials exempt.

Remedy of creditors of contractors.

for said work and materials, the said commissioners shall retain the amount until the creditors of said contractor shall determine the amount actually due by suit in court, and if no appeal is taken or writ of error sued out from said judgment to a higher court, the said commissioners are authorized to pay the said judgment to the said creditors, and charge the same to the contractors, upon having filed with them a certified copy of the entry of judgment in the court where the judgment entry is last made.

Repealing
clause.

§ 252—SEC. 20. All acts or parts of acts contravening or interfering with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 18, 1897.

[NOTE.]

By the provisions of § 80 of the city charter the controller is to countersign all bonds, etc., and all claims against the board are to be presented to him for audit before allowance and payment, and he is to certify all pay-rolls. He is also to keep accounts of receipts, expenditures, etc., of the board and is to inquire into, inspect and inventory all finances and accounts, property and assets of the board and they are to make such reports to him as may be required.

PROVISIONS OF LAW
RELATIVE TO
School District Number One
OF THE
CITY OF MARQUETTE.

BEING ACT No. 385 OF THE LOCAL ACTS OF 1885, WITH REFERENCES TO THE PROVISIONS OF THE CITY CHARTER AFFECTING SAID SCHOOL DISTRICT.

[ACT No. 385, LOCAL ACTS OF 1885.]

AN ACT to abolish fractional school district number one of the city and township of Marquette, and to form the territory of the city of Marquette into a single school district.

§ 253—SEC. 1. *The People of the State of Michigan enact,* Territory and corporate name of school district. That the territory embraced within the limits of the city of Marquette, in the county of Marquette, be and the same hereby is formed into a school district to be known as "School District Number One," of said city.

§ 254—SEC. 2. The school district hereby formed shall be Successor of former school district. the legal successor of fractional school district number one of the city and township of Marquette, and the officers of the latter named district shall succeed to like officers in the district hereby formed during the remainder of the term for which they were respectively elected.

§ 255—SEC. 3. Fractional school district number one of the Former school district abolished. city and township of Marquette is hereby abolished.

Ordered to take immediate effect.

Approved June 16, 1885.

[NOTES.]

For provisions of the city charter relative to election of school trustees and the application of the general school laws to the district, see § 206 of this compilation and notes.

By § 148 of the city charter the trustees are required before the first Monday in June in each year to certify to the common council all sums to be raised by taxation for school purposes.

By the provisions of § 80 of the city charter the controller is to countersign all bonds, etc., and all claims against the district are to be presented to him for audit before allowance and payment, and he is to certify all pay rolls. He is also to keep accounts of receipts, expenditures, etc., of the district, and is to inquire into, inspect and inventory all finances and accounts, property and assets of the district, and they are to make such reports to him as may be required.

PROVISIONS OF LAW
RELATIVE TO
THE PETER WHITE PUBLIC LIBRARY
OF THE
CITY OF MARQUETTE.

BEING ACT NO. 254 OF THE LOCAL ACTS OF 1891; WITH
REFERENCES TO PROVISIONS OF THE CITY CHARTER
AFFECTING SAID BOARD.

[ACT NO. 254 OF THE LOCAL ACTS OF 1891.]

AN ACT to provide for the organization, support and management of a free public library in the city of Marquette, to be known as "The Peter White Public Library of the City of Marquette".

Mayor to
appoint
trustees.

Terms of.

One to be
appointed
annually.

Vacancy.

Proviso.

Proviso as to
oath.

To serve
without com-
pensation.

To be a body
corporate.
Name.

§ 256—SEC. 1. *The People of the State of Michigan enact,* That as soon as may be after this act shall take effect, the mayor of the city of Marquette, with the consent of the common council, shall appoint five persons, residents of the city of Marquette, to be a board of trustees for a public library of the city of Marquette to be known as "the Peter White public library of the city of Marquette." one of whom shall hold office for the term of one year from the first day of May, one thousand eight hundred and ninety-one, one for the term of two years, one for the term of three years, one for the term of four years, and one for the term of five years from said date; and the several appointments shall designate the term for which each of said trustees so appointed shall serve; and annually thereafter on or before May first in that year, said mayor, with the consent of the common council, shall appoint one trustee for said public library, for the term of five years next following; and any vacancy occurring in said board of trustees from death, removal from said city of Marquette, resignation or otherwise, shall be filled by appointment in the same manner: *Provided,* That any person appointed a trustee as aforesaid shall hold office until his successor is appointed and qualified: *And Provided further,* That before entering upon the duties of his office, each trustee so appointed as aforesaid shall take and subscribe the constitutional oath of office, which shall be filed in the office of the recorder of the city of Marquette. None of the said trustees shall receive any pay or compensation for their services, and any of said trustees may be removed by said common council for misconduct in the same manner as other officers of said municipality.

§ 257—SEC. 2. Said board of trustees, so appointed and qualified, shall be a body corporate, by the name and style of "the



A large, stylized cursive signature of Peter White. The signature is written in dark ink on a light background. The first part of the signature, 'Peter', is written with large, sweeping loops. The last name, 'White', is written in a more traditional cursive style with sharp, pointed ascenders.



Munificent founder of the Peter White Public Library. Fifty years a member of the Marquette School Board. Thirty-four years Park and Cemetery Commissioner. Through his efforts Presque Isle Park was secured as a free gift to the city from the Government.

The marble bust above represented was on May 24th, 1898, presented by the friends of Mr. White to the public library which bears his name.

trustees of the Peter White public library of the city of Marquette," and by that name may sue and be sued, acquire, hold and convey property, and the books and property of every kind now belonging to the school district library of Marquette shall be transferred to the care, custody, and control of said "trustees of the Peter White public library of the city of Marquette," as soon as they are appointed and duly qualified, and the title thereto shall thereafter be vested in said board of trustees; and all public money which is now or may hereafter be appropriated by law to the support of a school library, or a public library in the city of Marquette, shall be expended under the direction of said trustees, and the title to the property there-with purchased shall vest in said trustees.

Books, etc., of school library to be transferred to, etc.

Title to vest in said trustees.

§ 258—SEC. 3. The board of trustees shall, on the second Saturday in May in each year, or within ten days thereafter, elect one of their number president, and shall also elect one of their number secretary, who shall hold their respective offices for one year thereafter, and until their successors shall be elected. Vacancies in either of said offices shall be filled by said board. Said board of trustees may make such rules and by-laws as may be needed for its own government.

President and secretary.

Vacancies.

Rules, etc.

§ 259—SEC. 4. Said board of trustees shall have power to acquire and hold property of every kind which may be suitable or convenient for the purposes of the library, and may receive property of every kind by grant, devise or otherwise, for the use and benefit of said library, and they are especially authorized to receive, hold and care for, as a part of the property of said trustees, the so called "Peter White library," in said city, on such terms as may be mutually agreed upon between said trustees and the founder and the trustees of said "Peter White library," with a view to the consolidation of said "Peter White library" with the public library under the control of said trustees. All the property held by said trustees in trust for said public library shall be exempt from attachment and execution, and any judgment recovered against the said "trustees of the Peter White public library of the city of Marquette" shall be spread upon the tax roll of the said city of Marquette and collected in the same manner, as near as may be, as if the judgment was against said city of Marquette, and all such property shall be exempt from taxes and assessments.

Power to hold property.

Property exempt from execution.

Judgment to be assessed against city.

§ 260—SEC. 5. The treasurer of the city of Marquette shall be the treasurer of said trustees and no money legally appropriated to the use and support of said public library, shall be paid out by said treasurer except in pursuance of an order of said trustees, upon a warrant signed by the secretary and countersigned by the president of said board of trustees; but said trustees shall not expend any money for any purpose other than the building up and maintenance of said public library except as hereinafter provided.

City treasurer to be treasurer of trustees.

§ 261—SEC. 6. In addition to the moneys which by law are appropriated to the use of the public library in the city of Mar-

Library tax.

Limit of.	quette, and which shall hereafter inure to, and stand to the credit of the trustees of the library hereby incorporated, there shall be levied and collected annually by tax on the real and personal property of said city, one-tenth of one cent on each dollar of the assessed valuation of said city, which money shall be appropriated to the sole purpose and behoof of said library, and be payable as hereinbefore provided. Said tax shall be levied and collected in the same manner as the moneys raised to defray the general expenses of said city, and shall be designated as "library tax" upon the assessment roll.
To provide rooms.	§ 262—SEC. 7. For the due and proper care and use of said public library, said board of trustees shall provide suitable rooms, by rental or otherwise, in which it may be kept. They shall have power to receive donations of money or property for the erection of a library building, and to expend the same for such purpose. The common council of said city shall have power to raise by tax on the taxable property of said city, such sums as they shall think proper, not exceeding one-half of one per cent of the total valuation in any one year, to erect or aid in erecting a suitable building for said public library: <i>Provided</i> , The question of raising such tax shall first be submitted to the electors of said city at an annual city election, or at a special election called for that purpose; such money when so raised, shall be expended by and under the direction of said board of trustees.
Council may tax city for building.	§ 263—SEC. 8. Said board of trustees shall keep and maintain said library as a free circulating library for the use of the inhabitants of the city of Marquette, and may maintain a public reading room in connection therewith, and they shall make all all such reasonable rules and regulations relative to the use of said library and reading room as they may deem expedient, and for the preservation of the books, maps, charts and pamphlets in said library, as well as the chairs, tables, desks, carpets, etc., therein. Said board shall employ a librarian and such other assistants as may be needed for the proper care of said library and the use thereof by the people of said city. All employees shall be under the control of said board, who shall fix their pay and designate their duties, and may discharge them at their pleasure.
Free circulating library.	§ 264—SEC. 9. Annually, in the month of March, said board of trustees shall make to the common council a report showing the condition of the library and the manner in which all moneys received by it during the current year have been expended.
Public reading room.	This act is ordered to take immediate effect.
Employees.	Approved March 27, 1891.
Annual reports.	

[NOTE].

By the provisions of § 80 of the city charter the controller is to countersign all bonds, etc., and all claims against the board are to be presented to him for audit before allowance and payment, and he is to certify all pay-rolls. He is also to keep ac-

counts of receipts, expenditures, etc., of the board, and is to inquire into, inspect and inventory all finances and accounts, property and assets of the board and they are to make such reports to him as may be required.

THE GRANT OF
PRESQUE ISLE PARK
TO THE
CITY OF MARQUETTE.

Being Sec. 2 of Chap. 765 U. S. Statutes at Large 49th Congress, Vol. 24, p. 144, approved July 12, 1886.

TITLE.

CHAP. 765. Authorizing the Secretary of the Interior to transfer the United States barracks at Baton Rouge, Louisiana to the Louisiana State University and Agricultural and Mechanical College at said place, for educational purposes, and granting to the City of Marquette, Michigan, certain lands for park purposes.

§ 265—SEC. 2. That fractional section one and lot numbered four, section two, township forty-eight north, range twenty-five west, in the district of lands subject to sale at Marquette, Michigan, except a tract two hundred and twenty feet by one hundred and ninety feet, containing one acre, on the extreme north end of said tract, being a light-house reservation, be, and the same are granted to the city of Marquette, Michigan, to be held in trust for the purpose of a public park, reserving the right of way on the above granted land to the above-excepted tract: *Provided*, That if the above-granted land shall cease to be used for park purposes the same shall revert to the United States: *Provided further*, That Congress reserves the right at any time to alter or amend this act.

Lands granted.
Light-house reserve.
Right of way.
Reversion.



The Administrative and Penal Ordinances of the City of Marquette.

IN FORCE MARCH, 1898.

COMPILED BY AUTHORITY OF THE COMMON COUNCIL.

NUMBER 1.

AN ORDINANCE RELATIVE TO MEETINGS AND PROCEEDINGS OF THE COMMON COUNCIL.

ADOPTED MARCH 8, 1892.

It is hereby ordained by the common council of the city of Marquette:

Regular
meetings.

§ 266—SEC. 1. Regular meetings of the common council shall be held at the place provided by the city for that purpose on the first Monday in each and every month at 8 o'clock P. M., except when the same shall fall upon a legal holiday, in which case said meeting shall be held on the succeeding day at the same hour. [See Sec. 276.]

Special
meetings,
how called.

§ 267—SEC. 2. Special meetings of the common council shall be held at any time upon a written call therefor signed by the mayor or any three aldermen of said city, stating the time, place and object of said meeting; which shall be filed with the recorder; whereupon each member of the common council shall be notified in writing of said call and the particulars thereof, which notice may be served upon him either personally, at least four hours prior to such meeting, or by mailing the same to his address in the post office in said city, postage prepaid, at least thirty-six hours before such meeting, or the same may be left at his place of residence at least eight hours prior to the time for said meeting; proof of which notice under oath shall be produced by the recorder at any such meeting before any business shall be transacted thereat.

Notice, how
given.

Proof of
notice.

Reference of
petitions, etc.

§ 268—SEC. 3. All petitions, communications, resolutions, by-laws, claims or other business presented at any meeting of the common council shall, unless otherwise ordered by vote of three-fourths majority of the members present, be referred by

the presiding officer to an appropriate committee of said council for consideration and report thereon, and the same shall not be further acted upon by the council until a subsequent day, unless by consent of three-fourths of the members present at such meeting.

§ 269—SEC. 4. (*As Amended 1895.*) The mayor shall, on or before the first Monday in May of each year, appoint the following standing committees from the members of the common council, said committees to consist of three members each, to-wit:

Finance and taxation.
 Streets and sewers.
 Parks and cemeteries.
 Public buildings.
 Police, public order and litigation.
 Ordinances, rules and legislation.
 Purchases and claims.
 Railways and public conveyances.
 Public health.
 Salaries and payrolls.
 Licenses and trade regulations.
 Pounds.
 Harbors, wharves and navigation.

Said appointments shall designate a member of each of said committees to be chairman thereof, and all vacancies in said committees shall be filled by appointment by the mayor as soon as practicable after such vacancy shall occur.

The members of said committees shall serve thereon during their terms of office as aldermen, or until their successors shall be appointed by the mayor.

§ 270—SEC. 5. The order of business at every regular meeting of the common council, unless suspended by a two-thirds vote, shall be as follows:

1. Call of roll.
2. Reading and approval of the minutes of the preceding meetings.
3. Presentation and references of petitions, communications and claims.
4. Reports of standing committees.
5. Reports of special committees.
6. Reports of city officers.
7. Motions and resolutions.
8. Adoption of ordinances and by-laws.
9. Miscellaneous business.
10. Adjournment.

The regular order of business may be suspended at any meeting by a majority vote.

All motions and resolutions shall be reduced to writing if desired by any member.

§ 271—SEC. 6. Subject to the foregoing rules the proceedings of the meetings of the common council shall be governed by the ordinary parliamentary law.

Amendment
of rules.

These rules shall not be amended or repealed, except by the affirmative vote of two-thirds of all the members of the common council.

NUMBER 2.

AN ORDINANCE RELATIVE TO ORDINANCES.

ADOPTED MARCH 8, 1892.

It is hereby ordained by the common council of the city of Marquette:

Record of
ordinances.

§ 272—SEC. 1. All ordinances and by-laws adopted by the common council, shall immediately upon becoming law, be transcribed at length by the recorder into a book to be kept by him for that purpose and indexed; said book to be known as "The Record of Ordinances and By-laws of the City of Marquette." The originals of said ordinances and by-laws shall be filed in the recorder's office, and due proof of the publication of all ordinances and by-laws, required to be published, shall be procured by the recorder and be by him attached to said originals. [NOTE. The mayor and recorder are to authenticate ordinances in the record. See § 204.]

Repeal.

§ 273—SEC. 2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

NUMBER 3.

AN ORDINANCE PRESCRIBING THE MANNER OF EXERCISING THE POWER OF APPOINTMENT. AND CONFIRMATION OF CITY OFFICERS.

ADOPTED MAY 3, 1897 [SEE § 197].

The City of Marquette ordains:

Appoint-
ments, how
made.

§ 274—SEC. 1. All appointments made in pursuance of any power conferred upon any officer by the charter of said city to offices provided for therein requiring the confirmation of the common council, shall be in writing signed by the officer making such appointment, and shall be presented for confirmation only at some regular meeting of the common council, and all such appointments shall be filed by the recorder and be entered at length in the minutes of such meeting.

When pre-
sented.

To be filed
and recorded.

§ 275—SEC. 2. Votes upon the confirmation of all such appointments shall be taken separately and by yeas and nays; but no such vote shall be taken prior to the next regular meeting of the common council succeeding the regular meeting at which any such appointment is presented for confirmation, except upon motion that such vote be sooner taken, be adopted by a two-thirds vote of all the aldermen elect, taken by yeas and nays. Vote on confirmation.
When taken.

§ 276—SEC. 3. The common council shall meet at the council chamber on the third Monday in April in each year, at eight o'clock p. m., which shall be deemed a regular meeting for the transaction of any business properly presented, and at which meeting appointments to office may be presented as at other regular meetings of the common council. Regular meeting of council.

NUMBER 4.

AN ORDINANCE TO PROVIDE FOR THE PREFERRING OF CHARGES AGAINST OFFICERS AND TRYING THE SAME.

ADOPTED JUNE 3, 1895.

The city of Marquette ordains:

§ 277—SEC. 1. That whenever any inhabitant of the city shall make any complaint in writing and under oath, charging any person appointed to office by the mayor or common council by authority of the charter of the city or any person elected to office in the city, with willful neglect of duty, misconduct, or malfeasance or misfeasance in office, specifying therein the facts upon which said charges are based; and shall file the said complaint with the recorder, together with a true copy thereof; the recorder shall present said complaint to the common council at its next regular, adjourned or special meeting thereafter: *Provided*, that if any such complaint shall be made against the person holding the office of recorder, said complaint and copy shall be filed with the controller; in which case the controller shall perform all the duties in relation thereto in this ordinance required of the recorder. Complaint, how made.

Complaint and copy to be filed with recorder.

Controller to act, when.

§ 278—SEC. 2. The common council, at any meeting thereof, may, in its discretion, by resolution order an investigation and trial of any of the charges contained in any such complaint, and may order the taking of proofs thereon either before the common council or any standing committee thereof or any special committee thereof to be selected in such manner as the common council shall determine, and may authorize the employment of counsel to prosecute said charges. Council may order investigation.

§ 279—SEC. 3. When the common council shall order the investigation and trial of any charges contained in any such complaint they shall fix a time for commencing the taking of Taking proofs.

Notice of taking proofs.	proofs thereon, not less than six days thereafter; whereupon the recorder shall serve or cause to be served upon the accused person at least four days before the time so fixed, a certified copy of the action of the council in ordering said investigation and trial and fixing the time for commencing the taking of proofs, together with the copy of said complaint, either personally or by leaving the same at the last place of abode of such person in the city, or by depositing the same in the postoffice at the city of Marquette, postage prepaid and directed to said person at his last known place of address in the city.
Proceedings.	§ 280—SEC. 4. The common council, or their committee charged with said investigation, shall meet at the time so fixed, as aforesaid, and, in case service has been made upon the accused person, as required in the preceding section, shall proceed with all convenient speed and diligence to investigate said charges and to take the proofs offered in support thereof and in defense of the same, and may adjourn from time to time for that purpose. In case such service has not been made, adjournment may be had until the sixth secular day after the date of publication of the minutes of the meeting of the council ordering such investigation and trial, at the same hour and place, at which time and place they shall again assemble and proceed with such investigation as though such service had been made. The testimony taken by them shall be reduced to writing, together with all objections thereto and all rulings made and exceptions thereto; and, when taken by a committee, shall be reported to the common council, together with the findings and recommendations of said committee, as soon as practicable.
Adjournment if accused is not served,	
Proofs to be taken in writing.	
Time and notice of hearing.	§ 281—SEC. 5. Upon the coming in of said report the common council shall fix a time for hearing thereon, and shall cause written notice thereof to be served on the accused person or his attorney at least two days before the time fixed for said hearing, in the manner above provided for service on the accused person of the copy of the action of the common council and copy of the charges against him. The common council shall meet in the common council chamber at the time so fixed for said hearing and shall then or as soon thereafter as practicable, proceed to hear, try and determine said charges: <i>Provided</i> , That when any such proofs are taken before the council, such hearing, trial and determination may be proceeded with upon the closing of the proofs, without further notice to the accused person.
Council to meet for hearing.	
Private deliberation by council	§ 282—SEC. 6. Upon the close of such hearing the common council shall exclude from the council chamber the accused and all persons not members of the common council while deliberating and determining upon said charges, and shall determine upon each charge and specification thereof separately, whether the accused is guilty or not guilty as charged, which shall be determined by such vote thereon as is required for the removal of the accused from office; and shall report their several findings thereon in public session and cause the same to be entered in the minutes of their proceedings; and in case the common council
Findings separately.	
Report of findings.	

shall so determine the accused to be guilty upon any of said charges, such person may be removed from office upon such vote of the aldermen elect as is required therefor by the charter of the city, said vote to be taken by yeas and nays.

Vote on removal by yeas and nays.

§ 283—SEC. 7. The meetings of the common council and committees thereof while engaged in any such investigation and taking of proofs and trial, shall, except as above provided, be public, unless, upon the request of the accused, the council or committee, in their discretion, shall otherwise order. The accused shall have the right by himself or attorney to participate in said investigation, to cross-examine the witnesses against him, make objections, take exceptions, introduce testimony and be heard in his own defense, and reasonable time and opportunity therefor shall be given.

Meetings to be public, when.

Rights of accused.

§ 284—SEC. 8. The city attorney and marshal shall, when required, attend upon the said meetings of the council or any such committee, and render such services as may be required in relation to such investigation.

City attorney and marshal to attend, when.

NUMBER 3.

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF A CITY ENGINEER, AND PRESCRIBING HIS DUTIES.

ADOPTED APRIL 28, 1893.

The City of Marquette Ordains:

§ 285—SEC. 1. Whenever the common council shall declare by resolution that the services of a city engineer are necessary, the mayor shall appoint a competent person to such office subject to the approval of the common council.

Appointment, when made.

§ 286—SEC. 2. Upon such appointment and approval, said officer shall take and file with the recorder the constitutional oath of office, and shall execute and file with the recorder a bond, in the penal sum of one thousand dollars with at least two sureties to be approved by the common council conditioned for the faithful discharge of the duties of his office.

Oath and bond.

§ 287—SEC. 3. The term of office of said city engineer shall be for the term of one year from the time of the filing of said bonds, unless such appointment shall be sooner revoked by the mayor and the common council. Such appointment may be revoked and said office vacated by the mayor and common council whenever they shall deem the services of said officer no longer required.

Term of office.

Revocation of appointment.

§ 288—SEC. 4. The city engineer shall receive such compensation as the common council shall from time to time, by resolution prescribe; and warrants for the same shall be drawn on the

Compensation and payment.

Duties of engineer.	proper fund on the first secular day of each calendar month for the services said officer rendered prior thereto.
To assist other officers	<p>§ 289—SEC. 5. It shall be the duty of the city engineer to procure to be made, all such surveys, plats, profiles, plans, diagrams and engineering estimates, as may be required of him in the discharge of their duties by any of the officers of the city, the common council or committee thereof. He shall perform such services as may be required of him by the common council in establishing and changing the grades or routes of streets, and the grades and routes of railways and street railways, and in opening new streets in the city. He shall render such assistance and engineering services, as may be required in the discharge of their duties by the controller, city attorney, street commissioner, park commissioner and cemetery commissioner. He shall, under the direction of the common council, have charge of and superintendence over the performance of all contracts with the city for the opening, grading, paving, macadamizing and improvement of streets; the laying of sewers and drains, and the construction of vaults, catch basins, man-holes, culverts, arches and bridges, and shall inspect and accept or reject materials and labor therefor, unless, in particular cases, the common council shall order such services to be performed by some other officer or person; and when so acting, he shall, in all cases, require rigid performance of all such contracts in all particulars, except where changes therein are specifically ordered by resolution of the common council. He shall make detailed monthly reports in writing to the common council of all services performed by him, and of all works and improvements done and services performed under his supervision during the preceding month and when required, shall certify to the common council and controller estimates of work being done under his supervision. He shall perform all such other services and duties as shall, from time to time, be required of him by the common council.</p>
To superintend performance of contracts.	
Monthly reports.	
Further duties required.	

NUMBER 6.

AN ORDINANCE RELATIVE TO THE GRADING, PAVING AND IMPROVEMENT OF STREETS, ALLEYS AND PUBLIC PLACES, AND THE USE AND PROTECTION THEREOF.

[ADOPTED JUNE 1, 1871.]

It is hereby ordained by the common council of the city of Marquette:

§ 290—SEC. 1. There shall be procured by the recorder a map or plat of the city of Marquette, on which shall be correctly delineated the several streets, avenues and public places

therein, with the names thereof, as well as the several blocks that are laid out or platted, and the lots in each of said blocks, with their numbers respectively, which said map, when approved by the common council, shall remain in the recorder's office, and shall be the official map of the city.

§ 291—SEC. 2. There shall also be procured by the said recorder a suitable book for street records, in which he shall record the proper boundaries and descriptions of all highways, streets, lanes and public grounds in the city, which have been heretofore laid out, established and settled, and in which he shall from time to time hereafter record the boundaries and descriptions of all highways, streets, lanes, or public grounds which shall hereafter be ascertained and described or laid out and established by the common council. Book of street records.

§ 292—SEC. 3. It shall be the duty of the committee on streets, bridges, sewers and public grounds, to ascertain and make a description of all such streets and highways in the city as shall have been used for six years or more as public highways or streets, and which have not been sufficiently described and duly recorded, and to report such description to the common council, and if the common council shall approve thereof they shall order the same to be recorded in the office of the recorder in said book of street records. Street committee's duty.

§ 293—SEC. 4. Whenever the common council shall establish and settle, or change, the grade of any street, highway, lane or alley, in said city, they shall cause a profile of such grade to be made and filed with the recorder, together with a full and accurate description thereof, and such profile and description as also those heretofore so filed, shall be deemed the official record of such grade. Profile of streets, etc.

§ 294—SEC. 5. The establishment and settlement of any grade as aforesaid, shall not be construed to authorize any party, person or firm to fill or excavate streets in front of their own or any other premises, until such streets have, by the common council, been ordered filled or excavated to grade. Adoption of grade not to authorize filling or excavation.

§ 295—SEC. 6. All streets or public places hereafter ordered to be planked or macadamized shall, unless the common council otherwise order, be planked or macadamized in the following manner, after the same have been properly graded, to-wit: Planking and macadamizing.

1st. All such planking shall be constructed of good, sound white pine or oak plank, not less than three inches in thickness, and not more than twelve inches in width, resting upon sleepers of the same materials, not less than two by six inches in size, laid not over three feet from center to center, the earth to be filled in flush with the top of the sleepers, each plank to be properly spiked to the sleepers at every bearing, the spikes to be driven at such angle as to be properly toed through the plank into the sleepers, all plank to be properly squared to make close joints, and laid so as to break joints. Manner of planking.

2nd. All such macadamizing shall be made of hard, well-broken stone not more than two inches in diameter, and laid on Manner of macadamizing.

to the depth of at least eight inches, so placed as to form a hard and smooth wagon road, with gutters on each side, at least eight inches lower than the center of the street: *Provided*, That whenever in the opinion of the street commissioner the nature of the soil shall in any case render it desirable, the bottom or lowest stones used in such macadamizing may be of larger size than herein prescribed, the same to be of such size and laid for such distance as he shall direct.

Pavement.

3rd. Whenever the common council shall order any Nicholson pavement, or pavement other than herein specified to be laid, or shall order bridges, culverts or other improvements on the streets to be made, they shall by ordinance prescribe in what manner and of what materials the same shall be constructed.

Improvements at charge of private property.

§ 296—SEC. 7. (*As Amended* 1898.) Whenever the common council shall desire to make any improvement, any portion of which is to be at the charge of private property to be benefited thereby, they shall proceed therein as prescribed by the charter and ordinances of the city.

Cross-walks and street intersections.

§ 297—SEC. 8. (*As Amended* 1898.) The cost of construction and repair of all cross-walks and of all other surface street work within the intersection of cross streets, shall be at the expense of the city.

Collection of special assessments.

§ 298—SEC. 9. (*As Amended* 1898.) All special assessments for street improvements shall be collected in such manner as may be authorized by the charter, and may be directed by the common council or prescribed by the general ordinances of the city.

Rebate of special assessments.

§ 299—SEC. 10. (*As Amended* 1898.) The common council, upon sufficient cause shown, may, where in their opinion injustice may have been done, rebate any special assessment or portion thereof, sufficient in amount to make such assessment just and fair.

Application of funds.

§ 300—SEC. 11. All moneys collected on or by virtue of such assessment shall be considered as appropriated exclusively for the improvement for which the same was levied, and shall be used for no other purpose.

Cross-walks, etc., to be paid out of general road fund.

§ 301—SEC. 12. The cost of the work within the lines of intersections of cross streets and alleys, and also the cost of cross-walks, shall be paid out of the general road fund.

Extension of time of collection.

§ 302—SEC. 13. (*As Amended* 1893.) The common council may, by resolution, extend the warrant and time for collecting assessments under this ordinance; but they shall not extend the time more than one hundred and fifty days in addition to the time provided for in section nine of this ordinance: *Provided*, That for every thirty days or fraction thereof that any such assessment shall remain unpaid after ninety days from the date of such warrant, and during the life thereof, there shall be added to such assessments and collected as a part thereof, two per centum thereof, as a penalty, in addition to interest otherwise provided for.

Penalty.

§ 303—SEC. 14. The common council, instead of collecting any assessment provided for in this ordinance in the manner prescribed in the ninth and tenth sections hereof, may direct a suit to be commenced and prosecuted in the name of the city, in any court of competent jurisdiction, for the recovery thereof, in accordance with the provisions of section 22 of the 8th chapter of the charter of the city of Marquette.

Suit may be directed.

§ 304—SEC. 15. No person shall place, by himself or another, any stone, timber, lumber, planks, boards, bricks, or other materials, in or upon any street, alley or other public space, except for the purpose of building, and not for that purpose except under permission first obtained from the common council or street commissioner; and such materials shall not be allowed to remain in such street, alley or other public space after the completion of such building, or the part or portion of such building for which the materials are required, or for a longer period than three months, and the same shall not be allowed to occupy and obstruct more than one-third of any street or alley; and after such building has been completed all building material, dirt and rubbish arising therefrom shall be removed forthwith.

Obstructions in streets.

§ 305—SEC. 16. (*As Amended 1895.*) No person shall, unless authorized by the common council or the laws of the state, disturb or tear up any macadam, pavement, roadway, greensward, sidewalk or cross-walk, except to repair or renew the same; or shall dig any hole, trench, ditch, cellar, area or other excavation; or shall plant or erect any pole, post or other structure, except shade trees and hitching posts; or shall lay any pipe, conduit, ditch, drain, sewer, cable or wire; or shall hang, train or string upon poles, posts or other structure any banner, sign, rope, cable, wire, pipe or similar thing; in, under or upon any portion of any street, avenue, alley or other public place in the city, or cause the same to be done; and no person authorized so to do by the common council or the laws of the state, shall do any of the acts above mentioned or cause the same to be done, without notice first having been given to the street commissioner and a permit in writing obtained therefor from the street commissioner; and it is hereby made the duty of the street commissioner, upon the receipt of any such notice to forthwith issue to the person, firm or corporation entitled thereto, a permit to do such work, and to give such reasonable directions in respect of such work as he may deem for the best interests of the public, and to enter in a record kept by him memoranda of all such permits. No such permit shall be valid to authorize the doing of any of the acts above prohibited in any different manner than directed by the street commissioner.

Digging etc., in streets prohibited.

Poles and posts.

Pipes, ditches etc.

Banners, signs, wires, etc.

Notice to street commissioner.

Permit in writing.

Duty of street commissioner.

It shall be the duty of every person disturbing or tearing up any macadam, pavement, roadway, greensward, sidewalk or crosswalk, or digging any hole, trench, ditch, cellar or area, or planting or erecting any pole, post or other structure in any street, avenue, alley or other public place, or causing the same

Duty of person authorized to dig etc., in streets.

To repair and replace streets in good order, etc.

Barriers around excavations.

Lights.

Conditions of permit.

Liability for damages.

Deposit of earth, rubbish, etc., prohibited.

Earth not to be removed.

Notice to remove obstructions

to be done, to forthwith and as soon as practicable, repair and put such street or place in as good order and condition as before such work was commenced, and to the satisfaction of the street commissioner; and in returning the earth to any such hole or other excavation every such person shall pound down the earth so as to make it firm and solid, and carefully, and to the satisfaction of the street commissioner, replace such earth, macadam, pavement, roadway, greensward, sidewalk or crosswalk so disturbed or dug up; replacing any material with new when required by the street commissioner; and any person digging in any street, avenue, alley or other public place for any of the purposes hereinbefore mentioned, or for any purpose whatever, shall erect and maintain good and sufficient fences, railings or other barriers around such excavations and place and maintain thereon in the night time proper lights and in such manner as to prevent accidents and injury to persons and property. The street commissioner shall in enforcing this section, act in accordance with such further ordinances or resolutions of the common council as may from time to time be in force.

§ 306—SEC. 17. Any permission given under the foregoing sections shall be upon the express condition that the person asking for such permission, or for whose benefit such materials are deposited or work done, or the owners of any lot in front of, or on which such cellar may be dug, shall, in addition to the penalties prescribed in this ordinance, be severally liable for all damages which the city may incur by reason thereof, to be recovered by the city in an action of assumpsit; and all persons asking and accepting such permission, or permitting materials to be deposited, or work done under the same, shall be deemed and considered to have consented and agreed to the terms and conditions of this section, whether the same shall have been referred to, or such condition set forth in the resolution of the common council granting such permission or not, and that this section shall have the same force and effect as though a written contract was entered into and executed between said city and such person or persons.

§ 307—SEC. 18. No person shall throw, place, deposit or leave in any street, highway, alley or public place, any earth, ashes, rubbish, cordwood, plaster, mortar, stone, animal or vegetable substance, shells, cans, filth or any other article or substance whatever, except such building materials as he shall have obtained permission to place thereon, in accordance with the fifteenth section hereof; nor shall any person without the permission of the common council or the street commissioner, dig, remove or carry away any earth or soil from any street, alley or public place in the city.

§ 308—SEC. 19. The mayor, any alderman or any city officer is hereby authorized to order any article or thing whatsoever which may encumber or obstruct any street, alley or public place to be removed; and if such article or thing shall not be removed within six hours after notice to the owner or person in

charge thereof, or if the owner cannot readily be found for the purpose of such notice, to cause the same to be removed to some suitable place; and any article or thing which may be removed in accordance with this section shall be advertised one week and sold by the marshal, unless the same shall be sooner reclaimed, and a penalty of five dollars and costs of removal and sale paid by the owner thereof. The proceeds of such sale shall be paid into the city treasury, and the balance, after deducting the aforesaid penalty and costs, shall be paid to any person or persons furnishing satisfactory proof of ownership.

Removal of
obstructions.
Sale.

§ 309—SEC. 20. No person shall leave any horse, mule, oxen or team in any street, alley or public space, without being securely tied; and no person shall halt any wagon, cart, carriage, sleigh or other vehicle on any cross-way or footway.

Animals and
vehicles in
streets.

§ 310—SEC. 21. (*As Amended 1890.*) No person shall remove or cause to be removed, or aid or assist in removing, any building into, along or across any street, alley or other public space, without permission first obtained from the common council or street commissioner, which permission shall limit the time such building shall be allowed to be or remain upon such street, alley or public space, and no building shall be allowed to remain thereon for any longer time than may be specified in such permission; and the owner of any building so removed, shall in addition to the penalty imposed by this ordinance, be liable to the city for the damage done to any street, sidewalk, crossing, bridge or other public property, in consequence of such removal. Whenever any person shall be engaged in actually moving a building along any street in this city he shall securely close said street by proper bars and signs at the nearest street crossing on each side of said house, and shall stop all passage of teams within the block occupied by such building.

Moving of
buildings
prohibited.

Permit.

Penalty.

Precautions.

§ 311—SEC. 22. No person shall erect or place any building, in whole or in part, upon any street, sidewalk or other public ground in the city.

Encroach-
ments.

§ 312—SEC. 23. The owner of any building, fence, porch, steps, gallery or other obstruction now standing, or which may hereafter be erected or placed upon any street, alley, or sidewalk, or public ground in the city contrary to the provisions of any ordinance of the city, or which may be left standing upon any new street that has been or may be hereafter opened shall remove the same within such reasonable time not exceeding thirty and not less than three days, as he shall be required to do by a notice in writing from the mayor, street commissioner or any other city officer; and whenever the owner of any such building shall refuse or neglect to remove the same after such notice, or if the owner cannot readily be found for the purpose of such notice, the same shall be deemed a nuisance, and it shall be lawful for either the marshal or street commissioner, and it is hereby made their duty to cause the same to be removed or taken down at their discretion, in addition to the penalty imposed for the violation of this ordinance, the expense thereof shall be re-

Removal of
encroach-
ments.

Notice.

Encroach-
ments
deemed a
nuisance.

Removal.

Penalty.	coverable of the owner in an action of assumpsit, and every
Resistance prohibited.	person who shall oppose or resist the execution of the orders of the marshal or street commissioner in the premises, shall be deemed guilty of a violation of the provisions of section twenty-one of the "ordinance relative to the prevention of vice and immorality, and the preservation of public peace and good order", and punished accordingly.
Injury to fences, trees, etc., prohibited.	§ 313—SEC. 24. No person shall fasten any animal to, or destroy or injure any fence, railing; ornamental or shade tree or shrub, in or upon any public ground, street, alley or other public place in the city.
Penalty for violation.	§ 314—SEC. 25. Any violations of the provisions of this ordinance shall be punished by a fine of not less than two dollars, and not exceeding one hundred dollars, in the discretion of the court, before which a conviction shall be had.
Duties of marshal and police.	§ 315—SEC. 26. It is hereby made the duty of the marshal and his deputies, any member of the police, and the street commissioner, to see that the provisions of this ordinance are faithfully observed, and to make complaint for all violations of the same.

NUMBER 7.

AN ORDINANCE REGULATING THE CONSTRUCTION OF SIDEWALKS, PROVIDING FOR THE COLLECTION OF ASSESSMENTS THEREFOR, AND PROHIBITING ENCROACHMENTS THEREON.

[ADOPTED MAY 29, 1871.]

It is hereby ordained by the common council of the city of Marquette:

Superintendence of street commissioner.	§ 316—SEC. 1. (<i>As Amended 1895.</i>) All sidewalks which shall hereafter be laid in the streets or avenues of the city, shall be constructed under the superintendence and to the satisfaction of the street commissioner.
Width in business district.	§ 317—SEC. 2. (<i>As Amended 1895.</i>) All sidewalks constructed on Front street between Bluff and Rock streets; on Superior street between Lake and Third streets; on Washington street between Front and Fourth streets, and on Third street between Main and Bluff streets, shall, unless the common council shall otherwise direct, be of the width from the street line to the curb line on either side thereof, and all sidewalks constructed on any other street or avenue in the city shall, unless the common council shall otherwise direct, be of the uniform width of five feet and four inches, the inner edge thereof to be four
Width in other portions.	

feet from the street line unless otherwise ordered by the common council; and the grade of all sidewalks, unless otherwise ordered by the common council, shall be the same as the grade of the center of the street on which they are constructed, opposite the same.

§ 318—SEC. 3. (*As Amended* 1895.) All sidewalks shall, unless the common council shall otherwise direct, be constructed of good, sound, pine plank not less than two inches in thickness, and not to exceed eight inches in width, laid on and at right angles with firmly planted sound pine or hemlock sleepers, three inches by six inches in size; plank to be firmly nailed to the sleepers with at least two spikes, not less than twenty penny in size at each bearing; plank to be laid at right angles with the course of the street; with at least three such stringers so laid as to break joints.

§ 319—SEC. 4. (*As Amended* 1895.) Sidewalks may, instead of plank, be constructed of brick, flagging, stone or concrete: *Provided*, the same is laid of quality equal to sample thereof, to be approved by the street commissioner.

§ 320—SEC. 5. (*As Amended* 1895.) Whenever the common council shall by resolution or ordinance order the construction or repair of any sidewalk by the respective owners and occupants of the lots and parcels of land adjoining which said sidewalk is located, it shall be the duty of such owners and occupants, within such time not less than six days after notice thereof, and the common council shall in said resolution or ordinance direct, to construct or repair or cause to be constructed or repaired, those portions respectively of said sidewalk in front of their said lands respectively between the side lines of their respective lots extended at right angles to the course of the street upon which said sidewalk is located; and it shall also be the duty of the respective owners and occupants of lots adjoining which sidewalk is so ordered to be constructed or repaired, and cornering upon streets intersecting any street upon which such sidewalk is so ordered to be constructed or repaired, and within said time, to construct or repair, or cause to be constructed or repaired, such additional portions of any such sidewalk as may be located between the nearest curb lines of said intersecting streets, and such portions of said sidewalk in front of said corner lots respectively between said side lines thereof extended as aforesaid.

§ 321—SEC. 6. (*As Amended* 1895.) Notice of any such resolution or ordinance requiring the construction or repair of any sidewalk shall be given to the persons whose duty it shall be under the preceding section of this ordinance to construct or repair any portion of such sidewalk by publication of said resolution or ordinance ordering such improvement in the minutes of the proceedings of the common council; and it shall be the duty of the street commissioner to serve or cause to be served upon each resident owner of each lot or parcel of land in front of and adjacent to which said sidewalk is so required to be con-

How notice served.

structed or repaired, if known to him, and if the owner be a non-resident of the city, then upon each resident occupant of each said lot or parcel of land, a certified copy of said resolution or ordinance, either personally or by leaving the same at the place of residence of any such owner or occupant with any person deemed of suitable age and discretion, and who is in the employ or who is a member of the household of such owner or occupant, or by leaving the same at the place of business or employment of any such owner or occupant, if in the city, with any person deemed of suitable age and discretion, and who is the employer or who is in the employ of such owner or occupant; but in case no person shall be found upon whom to make said service as aforesaid within four days after the adoption of any such resolution or ordinance ordering such improvement, a certified copy of the same shall be posted in a conspicuous place on the premises of any such owner or occupant not so found, in front of and adjacent to which premises any portion of said sidewalk shall be located, but in all cases the publication in the minutes of the proceedings of the common council of such resolution or ordinance shall be deemed sufficient notice of said action of the common council to all persons. Affidavits of such publication and of service and posting shall be filed with the recorder.

Proof of publication and service.

Failure of owner to comply.

§ 322—SEC. 7. (*As Amended 1895.*) Upon the failure of any such owner or occupant to construct or repair any portion of such sidewalk so ordered to be constructed or repaired, as aforesaid, or cause the same to be done and to complete the same within the time required therefor, upon the order of the common council that such portion or portions of such sidewalk be constructed, repaired or completed by the city and that the expense thereof be assessed upon the premises in front of which the same are located; it shall be the duty of the street commissioner to forthwith construct or repair and complete the same as the case may be, and certify to the controller the expense of each said portion thereof so constructed, repaired and completed by him in front of any of such lots or parcels of land respectively; whereupon the controller shall prepare a special sidewalk assessment roll assessing thereon against each such lot and parcel of land respectively the said expense of said portion of said sidewalk so certified to him, and to submit said roll to the common council for its action thereon.

City may construct.

Expense to be certified.

Assessment of cost.

Review by council.

Notice of review.

323—SEC. 8. (*As Amended 1895.*) The common council shall thereupon fix a time for the review, correction and adoption of said roll; five days' notice of which shall be given by the recorder by publication thereof in a newspaper of said city, at which time or thereafter the common council, after such review and correction thereof as they shall deem proper, adopt and confirm the same, and it shall be the duty of the proper officers to collect the same as in case of other special assessment rolls.

Collection.

Owners to keep walks in good order.

§ 324—SEC. 9. (*As Amended 1895.*) All sidewalks in the city shall be kept in good order by the owners and occupants of

the lots and premises adjoining which the same are located; and when in the opinion of the street commissioner the public convenience or safety shall require the immediate repair of any sidewalk he shall serve or cause to be served upon any resident owner of the lot or parcel of land adjacent to which such sidewalk is located, if known to him, and if the owner be a non-resident of the city then upon each resident occupant of said lot or parcel of land, a notice to forthwith repair said sidewalk, which notice shall be served either personally or by leaving the same at the place of residence of any such owner or occupant with any person deemed of suitable age and discretion and who is in the employ or who is a member of the household of such owner or occupant, or by leaving the same at the place of business or employment of any such owner or occupant, if in the city, with any person deemed of suitable age and discretion who is the employer or who is in the employ of any such owner or occupant; it shall be the duty of any such owner or occupant so served with such notice to forthwith and within twenty-four hours after the service of such notice to repair such sidewalk or cause the same to be repaired. Any person who shall neglect or refuse to repair or cause to be repaired any sidewalk, after notice as aforesaid or notice of the action of the common council ordering any such repairs, shall, on conviction thereof forfeit and pay a fine of five dollars for each offence, together with the costs of prosecution not exceeding one hundred dollars in all.

Notice to
repair.

How served.

Duty of
owners and
occupants.

Penalty.

§ 325—SEC. 10. (*As Amended* 1895.) In case no person can be found upon whom service of the notice mentioned in section nine above can be made; and also upon the failure of any such owner or occupant so served to repair any such sidewalk, within twenty-four hours after service of such notice, it shall be the duty of the street commissioner to forthwith cause such sidewalk to be repaired, and to certify his doings in the premises and the cost and expense of said repairs to the controller whose duty it shall be to prepare and submit to the common council a special sidewalk assessment roll, assessing thereon against such lot or parcel of land, the said cost and expense of said repairs, and to submit the same to the common council for its action thereon, and the same proceedings shall be had thereon and with like effect as is provided in section eight of this ordinance.

Duty of com-
missioner, to
construct.

Expense to be
assessed.

§ 326—SEC. 11. No porch, gallery, stoops, steps, stair railing or platform shall be allowed to extend into or upon any sidewalk, nor shall any cellar door rise or project above the surface of the sidewalk more than one inch at the outer edge, or three inches at the side next the building, nor shall the hinges thereof, or any other thing connected therewith, project or rise above the door; nor shall any staple, lock or other fastening be placed upon the upper side thereof, and no area beneath the surface of the sidewalk shall be allowed without sufficient grating or other protection, under a penalty of five dollars for each offense, to every person violating any provision in this section; and a like penalty for every day such violation shall continue

Obstructions
and encroach-
ments.

Protection of
areas.

Penalty.

after a lapse of three days after notice by the marshal or street commissioner to remove the same.

Posts in streets.

§ 327—SEC. 12. No sign post or other posts, except hitching posts, as hereinafter provided, shall be erected or placed, or if hereafter erected, be permitted to remain in or upon any sidewalk or street, or other public way, under a penalty of five dollars, and a like penalty for every day such post shall be allowed to remain after notice to the owner or occupant of the premises from the marshal or street commissioner to remove the same: *Provided*, Nothing herein contained shall prevent the erection one and not to exceed two posts in front of each building for the purpose of hitching horses, and which, if of wood, shall not be less than four inches in diameter, and not to exceed four feet in height; and be placed in a line within the outer edge or curb of the sidewalk.

Penalty.

Hitching posts.

Awnings, how constructed.

§ 328—SEC. 13. All awnings shall be covered with cloth, leather, or other light substance, and securely attached to the building, and properly supported, without posts, by iron or other metallic fastenings and supports, and shall be elevated at least eight feet at the lowest part thereof above the top of the sidewalk, and shall not project over the sidewalk to exceed three-fourths of the width thereof, so as to leave the sidewalk wholly unobstructed thereby. No such awning shall be erected or repaired, either wholly or in part of wood. Any person who shall erect any awning contrary to the provisions hereof, or permit any such, heretofore erected, to remain, shall be subject to a penalty of five dollars for every offense, and to the further penalty of five dollars for every day he shall fail to comply with a notice, after a lapse of three days from the service thereof, from the marshal or street commissioner to remove the same.

Penalty.

Goods in front of stores.

§ 329—SEC. 14. No clothing, goods, wares, merchandise, signs, boxes, or other article or thing, shall be placed in front of any store, shop or other place in said city, on or above the sidewalk, so as to occupy more than three feet next to the building or premises on such sidewalk, under a penalty of five dollars for each offense, and a like penalty for every twenty-four hours the same shall remain after being requested by any city officer to remove the same.

Penalty.

Goods, etc. on walks.

§ 330—SEC. 15. No person or persons shall place or keep upon or suffer to be placed or kept upon any sidewalk any goods, wares or merchandise which he or they may be receiving or delivering, without leaving a passage way clear upon such sidewalk where such goods may be, of six feet wide for the use of foot passengers; and no such person or persons receiving or delivering such goods shall suffer the same to be or remain on such sidewalk (subject nevertheless to the foregoing restriction), for a longer period than twelve hours; and any person or persons violating any of the provisions of this section shall forfeit and pay to said city a sum not less than three dollars, nor more than ten dollars, and shall be subject to a like penalty for

Penalty.

each hour the said goods or any part thereof, shall remain as aforesaid, after notice from any city officer to remove the same.

§ 331—SEC. 16. It shall not be lawful to gather or stand loitering in crowds on any sidewalk in the city, so as to incumber the same or to obstruct or interfere with foot passengers thereon, under a penalty of not less than one dollar and not exceeding three dollars for each and every person violating the provisions of this section. Loitering in crowds.
Penalty.

§ 332—SEC. 17. No person shall fasten any horse, team, or other animal or animals in such a way that said horse, team, animal or animals or any vehicle to which the same may be attached, shall be an obstacle to the free use of the sidewalk; or drive, load, or back any horse, mule, ox, cow, or other animal or team, or cart, or wheel carriage, or vehicle of any description, upon or along any sidewalk, unless it be in crossing the same to go into a yard or lot where no other suitable means of access is provided, under a penalty of not less than one dollar nor more than ten dollars for each offense. Animals not to obstruct walks.
Animals and vehicles not to be on walks.
Penalty.

§ 333—SEC. 18. The occupant, or owner, if there be no occupant, of each and every tenement, building and lot, fronting upon any street, the sidewalk of which shall be of plank, stone, brick or concrete, shall clear the sidewalk in front of such tenement, building or lot, of snow and ice by ten o'clock in the forenoon of each day, after the cessation of any storm of snow or sleet, and keep the same clear of such snow or ice, under a penalty of two dollars for each failure to do so, and a like penalty of two dollars for every twelve hours such sidewalk shall remain encumbered with ice and snow. Snow and ice to be removed from walks.
Penalty.

§ 334—SEC. 19. The marshal or street commissioner is authorized to cause any obstruction, encroachment, article or thing which may be in violation of the provisions of this ordinance, to be removed, within a reasonable time after notice served upon the owner or occupant of the premises where such violation occurs, or, without notice, when no such owner, agent or occupant can be found, and the owner, agent or party causing such violation shall pay all expenses and costs of removal, in addition to the penalties aforesaid. Any person who shall wrongfully interfere with such removal shall be fined not less than ten dollars nor more than twenty-five dollars, and may be imprisoned in the county jail not exceeding thirty days, at the discretion of the court before which a conviction shall be had. Removal of obstructions and encroachments.
Interference prohibited.
Penalty.

NUMBER 8.

AN ORDINANCE TO REGULATE AND CONTROL THE
CONSTRUCTION OF HOUSE SEWER CON-
NECTIONS AND HOUSE DRAINAGE.

ADOPTED JANUARY 5, 1891.

*It is hereby ordained by the common council of the city of*Supervision
of street com-
missioner.*Marquette:*

§ 335—SEC. 1. The sewers, drains, vaults, urinals and sewer gas, waste and grease traps and everything pertaining to house drainage shall be under the care and control of the street commissioner, to whom all applications for permits or other information should be made.

Permits to be
taken.

§ 336—SEC. 2. Permits shall be taken out in each special case in the name of the owner, agent or person in whose interest the work is to be done, before the work is commenced, and in no case shall such work be commenced and prosecuted unless such permit is on the grounds and in possession of the person doing the work: Each permit shall designate the street and number of the house and sub-lot and shall include such definite description of the premises as to clearly define the location of the same upon the map.

Permit to be
on grounds.Contents of
permit.Sewer
connections.

§ 337—SEC. 3. All connections with the main or branch sewer shall be made at the regular connections or junctions, built in the same, except by special permit from the street commissioner.

Branch
junctions.

§ 338—SEC. 4. All branches shall be made with slant or "Y" junctions; and in no case shall square or straight junctions be used nor shall openings be cut or broken into the sewer for the purpose of making such connections; but in all cases where connections are to be made where no junction has been provided, a length of pipe shall be removed and a piece inserted with the proper junction upon it. The junctions not intended for immediate use shall have their ends closed water tight with brick or stone and cement.

Sealing of
unused
junctions.

Grease traps.

§ 339—SEC. 5. No connection shall be made with any of the public sewers of said city for the purpose of draining any house or other structure unless such connecting sewer or drain shall be provided with a suitable grease trap through which must pass all sewerage matter containing grease; and all applications for permits, as provided in sections one and two of this ordinance, shall contain a statement signed by the person in whose interest the work is to be done or by his or her agent, that a suitable grease trap has been built as required by this section; and no permit shall be valid unless such grease trap has previously been constructed.

Applications
for permits.Health officer
to control
cesspools.

§ 340—SEC. 6. All cesspools, vaults and other like receptacles for sewer drainage now constructed and those which may

hereafter be constructed upon streets where no proper sewerage is provided, shall be under the care and control of the health officer and shall be constructed, ventilated and emptied as he shall direct.

§ 341—SEC. 7. On and after the passage of this ordinance no house, sewer, drain or waste pipes from any buildings or premises shall be discharged into the cesspool, vault and other like receptacle where such building or premises is provided with proper sewerage accommodation with which the same can be connected, and if at any future time such premises are provided with proper sewerage accommodations the further use of such cesspools, vaults etc, shall be discontinued and the proper sewers and drains constructed whenever the health officer shall deem the public health demands it. Use of cesspools prohibited, when.
Duty of health officer.

§ 342—SEC. 8. Every person violating any of the provisions of this ordinance or disobeying or neglecting to comply with any lawful direction, given under this ordinance by any officer of said city, shall upon conviction thereof before any court of competent jurisdiction be punished by a fine of not less than five nor more than one hundred dollars, or by imprisonment not more than thirty days, or both such imprisonment and fine, in the discretion of said court. Violations punishable.
Penalty.

NUMBER 9.

AN ORDINANCE TO PROVIDE FOR THE NUMBERING OF LOTS AND BUILDINGS IN THE CITY OF MARQUETTE.

ADOPTED JULY 30, 1887.

It is hereby ordained by the common council of the city of Marquette:

§ 343—SEC. 1. On all streets and avenues in the city of Marquette the buildings and lots shall be assigned numbers in accordance with the plans prescribed by this ordinance. Street numbers.

§ 344—SEC. 2. Buildings and lots on all east and west streets shall be numbered from Front street as a base line, one hundred numbers being assigned to each block and the numbers increasing towards the east and towards the west. The even numbers shall be on the right hand side advancing from the base line in either direction. East and west streets.
Manner of numbering.

§ 345—SEC. 3. Houses and lots on all north and south streets shall be numbered each way from Washington street as a base line, the numbers increasing north and south from that street, commencing at one hundred, and assigning one hundred numbers to each block; the even numbers shall be on the right North and south streets.
Manner of numbering.

hand of said streets, advancing in either direction from the base line.

Streets, how designated.

§ 346—SEC. 4. For the purpose of this ordinance all streets shall be designated north, south, east or west, with reference to the direction of the street from the base line.

Buildings to be numbered.

§ 347—SEC. 5. The owners and occupants of all buildings in said city shall cause the correct numbers to be placed thereon in accordance with the foregoing plan. Such numbers shall be not less than two inches long and shall be placed on the front of said buildings in a conspicuous place. All persons failing to comply with the provisions of this ordinance within ten days after it takes effect shall be fined not less than three and not more than ten dollars, and a like fine for every forty-eight hours of a failure to comply after the first conviction.

Penalty.

§ 348—SEC. 6. This ordinance shall take effect and be in force on and after the first day of August, 1887.

NUMBER 10.

AN ORDINANCE FOR THE COLLECTION OF SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS.

ADOPTED MARCH 5, 1894.

The city of Marquette ordains:

§ 349—SEC. 1. Upon the completion of any special assessment roll whereon is assessed the cost and expense of any improvement authorized by the charter or ordinances of the city of Marquette, the amount of such assessment, together with one per cent thereof in addition, as collector's fees, shall be collected in the following manner;

Collector's fees.

Controller's warrant.

§ 350—SEC. 2. It shall be the duty of the controller to attach to such roll a warrant in due form, signed by him and directed to the city treasurer, commanding such treasurer to collect from the several persons named in said roll, the several sums mentioned in said roll opposite their respective names, and to retain in his hands the amount of one per cent fees on collection, and hold the balance subject to the order of the common council; and the said warrant shall authorize and direct the city treasurer, in case any person named in the assessment roll shall neglect or refuse to pay his assessments, to levy the same, by distress and sale of the goods and chattels of such person; and further commanding said treasurer to make returns to the common council within thirty days thereafter, unless the said warrant and the time for collecting said assessments shall be extended by the common council, and in which case he shall make due returns upon the expiration of the time to which said warrant and time

Contents of warrant.

for collecting said assessments shall be extended; and deliver said roll with said warrant to the said treasurer for collection.

§ 351—SEC. 3. It shall be the duty of the city treasurer, ^{Treasurer to collect.} upon the receipt of such assessment roll, to proceed at once to collect such assessments as he is in the warrant thereto attached commanded; and he shall at the time limited for the return of ^{Return.} such warrant and roll return the same to the recorder, and shall, in such roll, indicate the names of all persons who have not paid their assessments thereon, together with a description of the premises upon which the same was assessed, and also a description of the premises, the owners or occupants of which are not known, and upon which there are unpaid assessments; whereupon, said premises, upon which said assessment remains unpaid, shall be advertised and sold in the manner provided by the ordinances ^{Sales.} of the city relating to the sale of lands for delinquent assessments and redemption thereof.

§ 352—SEC. 4. All moneys collected on or by virtue of any such assessment shall be considered and treated as appropriated ^{Disposition of moneys.} exclusively for the improvement for which the same was levied, and shall be used for no other purpose.

§ 353—SEC. 5. The common council may, by resolution extend the warrant and time for collecting assessments under this ordinance; but they shall not extend the time more than one hundred and fifty days in addition to the thirty days provided for in section two of this ordinance: *Provided*, That for every thirty days or fraction thereof that any such assessments shall remain unpaid after ninety days from the date of such warrant, and during the life thereof, there shall be added to such assessments and collected as a part thereof, one per centum thereof, as ^{Interest penalty.} a penalty, in addition to interest otherwise provided for.

§ 354—SEC. 6. The common council may direct suit to be ^{Suits for collection.} commenced and prosecuted in the name of the city in any court of competent jurisdiction, for the collection and recovery of any such assessment, in lieu of the method of collection herein provided for.

NUMBER 11

AN ORDINANCE RELATIVE TO THE SALE OF LANDS FOR DELINQUENT ASSESSMENTS AND RE- DEMPTION THEREOF.

ADOPTED APRIL 4, 1872.

*It is hereby ordained by the common council of the city of
Marquette:*

§ 355—SEC. 1. Whenever the city treasurer shall make due ^{Delinquent return.} returns that any assessment authorized by virtue of any ordinance of the city of Marquette, remains due and uncollected, it

Recorder to sell.	shall be the duty of the recorder to proceed and sell any lots or parcels of real estate on which any such assessment shall be a lien in the manner hereinafter prescribed.
Recorder to make list.	§ 356—SEC. 2. (<i>As Amended</i> 1896). After any such return the recorder shall make out a list of all the lots and parcels of real estate on which any such assessment remains due and unpaid, with the name of the owner or owners thereof, so far as he can ascertain the same, and the amount of unpaid assessments due on each lot or parcel of real estate and penalties due for non-payment of the same when due, with interest on the amount of said assessments and penalties from the time of such return to the day on which such lots or parcels of real estate are to be sold as hereinafter provided, at the rate of eight per cent per annum, together with the costs of advertising, calculated upon each description of real estate by dividing such charges by the whole number of descriptions to be advertised together, and one dollar for expenses of sale and conveyance of each such description, and shall cause such list to be published in a public newspaper of the city, at least once in each week for six successive weeks previous to the day of sale, with a notice thereto attached, that each lot or parcel of real estate described in said list, or so much thereof as will be necessary to pay the assessment thereon, together with the interest and costs aforesaid, will be sold by the recorder at his office on a day to be therein specified. An affidavit of the publication of such list and notice shall be procured by the recorder and placed on file in his office.
Contents of list.	
Notice of sale.	
Affidavit of publication.	
Sale if not paid.	§ 357—SEC. 3. If the owner or owners, occupant or occupants, or parties in interest in any such lot or lots or parcel or parcels of real estate, do not pay such assessments with the interest and costs aforesaid thereon, on or before the day designated in the notice of sale, the recorder shall on that day proceed to sell the said lots or parcels of real estate, on which the assessments and charges aforesaid shall not have been paid as aforesaid, or so much of each lot or parcel thereof as shall be sufficient to pay the assessment, interest and costs thereon, as aforesaid, and shall continue the sale from day to day (Sundays excepted), if necessary, until so much of each of said lots or parcels of real estate shall be sold as shall be sufficient to pay the assessment, interest and charges thereon as aforesaid. <i>Provided</i> , That every lot or parcel of land embraced in said notice, not sold or otherwise disposed of, shall be bid off to the city by the recorder.
Manner of sale.	
To be bid off to city, when.	§ 358—SEC. 4. In case less than the whole of any lot or parcel of real estate described in the list aforesaid shall be sold for the assessment, interest and cost thereon as aforesaid, the portion thereof sold shall whenever practicable, be taken from one of the sides of said lot or parcel of real estate, and be bounded by the two end lines and one of the side lines of such lot or parcel, and a line running parallel with such side lines at right angles to the street on which the same is situated, but when in the judgment of the recorder such division would not be practi-
If less than whole lot sold.	

cable, or would operate unjustly or oppressively on the owner or owners of said lot or parcel, the portion thereof to be sold may be taken therefrom by some other method of division, to be determined and stated by the recorder.

§ 359—SEC. 5. The recorder may at his discretion require immediate payment of any person to whom any such lot or parcel of real estate or any portion thereof may be struck off, and in all cases where payment therefor is not made within twenty-four hours after such sale he may be declare the bid cancelled, and at his discretion sell the same lot or parcel of real estate again; and the recorder shall immediately upon the payment of the amount received for such sales, pay the same over to the city treasurer, taking his receipt therefor.

Payment of
amounts bid.

Re-sale.

§ 360—SEC. 6. At the sale aforesaid the recorder shall give to the purchasers on the payment of their bids, a certificate in writing, describing each lot or parcel of real estate purchased by them severally and the amount paid therefor, and such certificate shall be regularly numbered and a copy of each shall be filed in the office of the recorder.

Certificate
of sale.

§ 361—SEC. 7. On presentation of such certificate of sale to the recorder after the expiration of the time hereinafter provided for the redemption of the lot or parcel of real estate sold as aforesaid, unless the same shall have been previously redeemed as hereinafter provided, the mayor and the recorder shall, in the name of and for the city, and under the corporate seal thereof, execute and deliver to the purchaser, his heirs or assigns, a proper deed of the lot or parcel of real estate, described in such certificate, duly acknowledged in the manner provided by law.

When and
how deed
executed.

§ 362—SEC. 8. The recorder shall immediately upon such sales make a correct record of all the lots or parcels of real estate sold as aforesaid, showing the time when the assessments were levied, and the amount thereof, the interest, costs, and charges thereon, the time when the same were sold and the names of the purchasers, with such other entries as may be necessary, and shall deposit such record in the office of the treasurer.

Record of
sales.

§ 363—SEC. 9. Any person owning any of the lots or parcels of real estate sold as aforesaid or any interest therein, may at any time within one year next succeeding such sale, redeem such lot or parcel of real estate, or any interest therein, by showing to the satisfaction of the treasurer, that he owns that part or interest in the same which he proposes to redeem, and by paying to the treasurer the amount for which the same was sold, or such portion thereof as the part or interest redeemed shall amount to, with interest thereon at the rate of twenty per cent. per annum, of which interest fifteen per cent. shall be paid by the treasurer to the purchaser, and five per cent. shall belong to the city, and be passed to the credit of the general fund; and the treasurer shall refund to the purchaser of such lot or parcel of real estate, on return of the certificate of sale, the amount paid for the redemption thereof, together with the interest aforesaid.

Redemption
from sales.

Interest
penalty.

Refund to
purchaser.

Certificates of redemption.

§ 364—SEC. 10. Upon the payment to the treasurer of the redemption money and interest as aforesaid, he shall issue duplicate certificates of redemption in the usual form, and shall make an entry of the number of each certificate the time when and the amount for which it was given, and the name of the person paying the same; one of such certificates shall be delivered to the person making the payment and the other shall be filed in the office of the recorder.

Treasurer to sell, when.

§ 365—SEC. 11. If on the day mentioned in the notice of the sale the recorder shall neglect or from any cause be unable to be present at and conduct the sale, then it shall be the duty of the treasurer to proceed with such sale in the same manner and with like effect as if the same had been conducted by the recorder, and in such case the treasurer shall receive payment of bids, make the like returns, issue certificates of purchase, and make the same record and perform such other acts in relation thereto as are hereinbefore required of the recorder.

Duty of treasurer.

City's interests may be purchased.

§ 366—SEC. 12. Any person may purchase the interest acquired by the city in any lot or parcel of real estate bid in by the city at any such sale, upon making and filing with the recorder an application therefor, and paying to the treasurer the amount for which the same was bid in by the city, with interest thereon at the rate of ten per cent. per annum from the time of such sale to the day of making such application and payment; and in such case the mayor and recorder shall execute to such purchaser under the corporate seal of the city, a deed conveying all the right, title and interest of the city, in and to such lot and parcel of real estate acquired by such sale.

Deed.

NUMBER 12.

AN ORDINANCE PROVIDING FOR THE ORGANIZATION OF A CITY POLICE.

ADOPTED APRIL 4, 1872.

It is hereby ordained by the common council of the city of Marquette:

Police force, who are.

§ 367—SEC. 1. The police force of the city of Marquette shall consist of the marshal, who shall be *ex-officio* chief of police, and such number of policemen as may from time be authorized by the common council, which number may be increased or diminished at any time by the common council.

How appointed.

§ 368—SEC. 2. The members of said police force shall be appointed by the common council, to serve (except the marshal), during the pleasure of the common council, and may be removed at any time. They shall severally take and subscribe an

oath for the faithful performance of their duties as members of the police force, which oath shall be filed in the recorder's office, and they shall receive such pay for their services when actually employed as members of the police force as the common council may from time to time determine. Any member of the police force may resign and withdraw therefrom by presenting his written resignation at any regular or special meeting of the common council.

§ 369—SEC. 3. It shall be the duty of the several members of the said police force, within the limits of the city of Marquette, under the general direction of the chief of police, to preserve the public peace, to prevent crime, and arrest offenders, to protect rights of persons and property, to preserve order, to remove nuisances existing in the public streets and elsewhere, to protect property at fires, to quell riots and disturbances, and generally to the best of their ability enforce the laws and ordinances throughout the city. They shall obey the lawful orders of the chief of police, and comply with such rules and regulations as may be adopted by him or prescribed by ordinance for their government. They shall have power to arrest all persons in the city found in the act of violating any law or ordinance, or aiding or abetting in any such violation, and shall arrest all persons found under suspicious circumstances, and shall take all such persons so arrested before the recorder or one of the justices of the peace of the city of Marquette to be dealt with according to law.

§ 370—SEC. 4. (*As Amended 1875.*) In case of any actual or threatened riot or disturbance, or whenever any other sudden exigency may require, the mayor may appoint and swear in such number of suitable persons as he may deem necessary to act temporarily as special policemen for the occasion only, and who for the time being shall have and possess all the powers of members of the regular police force, and who shall be paid for their services such reasonable compensation as the common council shall determine. Any person so appointed as a special policeman by the mayor as aforesaid, who shall neglect or refuse to serve as such, according to the exigencies of the case, shall be subject to a fine of not less than ten nor exceeding one hundred dollars, or imprisonment in the county jail or in the jail of the city of Marquette for a term not exceeding ninety days or both such fine and imprisonment in the discretion of the court before whom a conviction is had.

§ 371—SEC. 5. (*As Amended 1898.*) In case of the absence of the marshal, or his inability from any cause to act as chief of police, the mayor shall designate and appoint some other member of the regular police force to act as chief of police during such absence or disability.

(a) Before entering upon the duties of his office, the marshal shall execute and file with the recorder a bond to the city of Marquette, in the penal sum of two thousand dollars, with two or more sureties, or with a surety company, to be approved by

Oath of office.

Compensation.

Resignations.

To preserve peace, etc.

To obey orders and rules.

Power to arrest.

Special police.

Powers and compensation.

Penalty for refusal to serve.

In absence of marshal.

Of the marshal.

To give bond.

the common council, conditioned for the faithful discharge of the duties of his office:

To make rules.

(b) The marshal shall and may make rules for the government of the police and watchmen in the employ of the city not in conflict with the charter or the ordinances or resolutions of the common council, which rules may be amended or revoked by the marshal, mayor or common council; and it shall be the duty of all policemen and watchmen to comply with such rules while in force.

To serve papers.

(c) The marshal shall serve all papers and notices relating to the business of the city which may be delivered to him for that purpose by the mayor, controller, recorder, treasurer, city attorney, health officer or any alderman; and shall communicate to the health officer any information which he may acquire of the existence in the city of any contagious disease, or the existence of any nuisance which may be detrimental to the public health.

To report concerning certain matters.

(d) He shall report concerning the matters hereinafter set forth, as follows: Bursting water pipes, to the superintendent of the board of fire and water commissioners; clogged sewers, defective sidewalks, culverts, bridges and dangerous places on streets, to the street commissioner; dangerous buildings, structures and private premises, to the common council; destitute, delirious or insane persons to the superintendent of the poor; and defects in or failure to give proper service of the public lighting system, to the superintendent of the light and power commission; leaks in gas pipes, to the superintendent of The Marquette Gas Light Company; lost and found children, to the recorder and the parents or guardian of such children, if known; lights out in buildings or rooms where lights are usually burned all night, to the proprietors thereof.

Uniform and badge.

(e) The marshal shall, when on duty, wear a suit of blue clothes, consisting of coat, vest and pants, and on the left breast of his coat shall wear a badge denoting his office, with the word "Marshal" thereon.

Police uniform and badge.

(f) Each regular policeman and watchman, when on duty, shall wear a uniform consisting of blue coat, vest and pants, and shall wear on the left breast of his coat a star with the word "Police" thereon.

Of the police.
To attend fires.
Duties at fires.

§ 372—Sec. 6. (*As Amended* 1898.) It shall be the duty of members of the police force, on the order of marshal, to attend fires and to assist in preserving, removing and securing property from damage and theft; to keep away and remove from fires all idle, disorderly or suspicious persons, and for such purpose may arrest and temporarily confine any idle and disorderly persons who refuse to obey the order of the marshal, any member of the police force or chief of the fire department to move on or go and remain away from the vicinity of any fire.

To report to marshal.

(a) It shall be the duty of policemen and watchmen to observe and report to the marshal in respect of the following matters: Bursting water pipes, clogged sewers, defective sidewalks, dangerous bridges, culverts and other places in streets or private

premises, dangerous buildings and structures, broken electric wires and structures, destitute, delirious or insane persons, dogs without license tags, street and store lights out, leaks in gas pipes, lost and found children, nuisances, obstructions and encroachments on streets, all hawkers and peddlers of goods, wares and merchandise, and persons suspiciously idling and loitering about.

(b) They shall inform themselves of the location of streets, public buildings, hotels, boarding houses and the residences of the inhabitants of the city so far as practicable, and impart information thereof to all persons inquiring. To furnish certain information.

(c) They shall render needed assistance to persons ill or injured in the streets or elsewhere in the city, give alarm of fires, and shall place barriers and lights at dangerous places in the streets, when that duty shall have been neglected by others. To render assistance.

(d) They shall take up and impound animals found at large contrary to law or the ordinances of the city; and they may take up and deliver to any keeper of any livery stable, pound or other suitable place, for safe keeping at the expense of the owners thereof any animals left exposed to inclement weather. To impound animals.

(e) Any member of the police force who shall neglect or refuse to perform any duty required of him by law, the ordinances of the city or the rules and regulations of the police force, or who shall in the discharge of his official duties be guilty of any fraud, extortion, oppression, favoritism or wilful wrong or injustice, shall forfeit and pay to the city a fine not exceeding one hundred dollars, and the costs of prosecution, and in default of the payment of such fine may be committed to the city lock-up or county jail for a term not exceeding ninety days. Penalty for neglect of duty or wrong.

§ 373—SEC. 7. (*As Amended 1875.*) Whoever in the city shall resist any member of the police force in the discharge of his duty, or shall interfere with, hinder or prevent him from discharging his duty as such member, or shall offer or endeavor so to do, and whosoever shall in any manner assist any person in the custody of any member of the police force, to escape from such custody, or shall rescue or attempt to rescue any person so in custody, shall be fined not less than five dollars, nor more than one hundred dollars, and may be imprisoned in the county jail or in the jail of the city of Marquette for a term not exceeding ninety days, in the discretion of the court before which a conviction is had, or both such fine and imprisonment. Resistance to police. Escape and rescue. Penalty.

NUMBER 13.

AN ORDINANCE RELATIVE TO THE PREVENTION
OF VICE AND IMMORALITY AND THE PRESER-
VATION OF PUBLIC PEACE AND
GOOD ORDER.

ADOPTED JULY 17, 1871.

*It is hereby ordained by the common council of the city of Marquette:*Vagrants,
who deemed
such.

§ 374—SEC. 1. (*As Amended 1875.*) All persons who not having any visible means to maintain themselves, are without employment, idly loitering or rambling about, or staying in drinking saloons, houses of ill-fame or houses of bad repute, or or who shall be trespassing in the night time upon the private premises of others, or begging upon the streets, or other thoroughfares, or who go about for the purposes of gaming or watch stuffing, or do game other practice or disreputable devices, tricks or artifices to obtain money or any valuable thing from another thereby, or who shall disturb any place where public or private schools are held, either on week day or Sabbath, or where religious worship is held, shall be deemed vagrants, and upon conviction shall be fined in a sum not less than two dollars nor exceeding one hundred dollars, or be imprisoned in the county jail or jail of the city of Marquette, for a term not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had.

Penalty.

Houses of ill
fame, etc.
Keepers of.

§ 375—SEC. 2. (*As Amended 1875.*) Any person who shall be guilty of keeping or maintaining or being an inmate of, or in any way connected with, or in any way contribute to the support of any house of ill-fame, any common gaming house, or place for the practice of fornication, or knowingly own or be interested as proprietor or landlord of any such house, shall, on conviction, be fined in a sum not less than ten dollars nor exceeding one hundred dollars, or be imprisoned in the county jail or jail of the city of Marquette, not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had.

Penalty.

Lewdness
prohibited.

§ 376—SEC. 3. (*As Amended 1875.*) If any person shall be guilty of any lewd or indecent act or behavior, or shall exhibit, sell or offer to sell any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation, he shall be subject to a fine of not less than five dollars, nor exceeding one hundred dollars, or imprisonment in the county jail or jail of the city of Marquette, for a term not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had.

Penalty.

§ 377—SEC. 4. (*As Amended 1875.*) If any person shall inhumanly, unnecessarily or cruelly beat, injure or otherwise abuse any horse, or other dumb animal, he shall be subject to a fine of not less than five dollars nor exceeding twenty-five dollars, in each case, or imprisoned in the county jail, or jail of the city of Marquette, for a term not exceeding thirty days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had. Cruelty to animals.
Penalty.

§ 378—SEC. 5. (*As Amended 1875.*) If any person shall be drunk, or shall be in a state of intoxication in any highway, street, thoroughfare or public place within the city, or in any private house or place, to the annoyance of any citizen or person, or shall solicit alms from any person without written permission from the mayor or some officer of the city, he shall on conviction pay a fine of not less than two dollars nor exceeding twenty-five dollars, or be imprisoned in the county jail, or jail of the city of Marquette, for a term not exceeding thirty days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had. Persons drunk in streets.
Beggars.
Penalty.

§ 379—SEC. 6. (*As Amended 1875.*) No person shall have, keep or permit to be used in any building or place within this city, used, occupied or controlled by such person, any E. O. table, keno table, billiard table, faro bank, shuffle board, bagatelle, or any other instrument, device or thing used for gambling, whereon or with which money, liquor or other articles shall in any manner be played for, under a fine not exceeding twenty-five dollars or imprisonment in the county jail, or jail of the city of Marquette, for a term not exceeding thirty days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had. Gaming devices prohibited.
Penalty.

§ 380—SEC. 7. (*As Amended 1875.*) Any person who shall disquiet or disturb any congregation or assembly met for religious worship, by making a noise, or by rude and indecent behavior or profane discourse within their place of worship, or so near the same as to disturb the order or solemnity of the meeting, shall be subject to a fine not exceeding twenty-five dollars, or imprisonment in the county jail or jail of the city of Marquette, for a term not exceeding thirty days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had. Disturbance of religious meetings.
Penalty.

§ 381—SEC. 8. (*As Amended 1875.*) The marshal or his deputies, or any member of the police, may seize any instrument, device, or thing used for the purpose of gaming, or by, on, or with which money or other articles of value may be lost or won, and all such instruments, devices or things may be demolished or destroyed. Any person obstructing or resisting the marshal or any of his deputies, or any member of the police in the performance of any act authorized by this section, shall be fined in a sum not exceeding fifty dollars, or confined in the county jail, or jail of the city of Marquette, for sixty days, or both such fine and imprisonment in the discretion of the court Seizure of gaming devices.
Resisting officers.
Penalty.

Officers may
forcibly enter
houses, when.

before whom such conviction is had. If the owner or keeper of, or any person within any gambling house or room, any disorderly house, or any house of ill-fame within this city, shall refuse to permit the marshal or any of his deputies, or any member of the police force, to enter the same, it shall be lawful for such marshal or deputies, or members of the police to enter, or cause the same to be entered by force, by breaking the doors or otherwise, and to arrest, with or without warrant, all suspicious persons found therein.

Sunday
closing of
saloons, etc.

§ 382—SEC. 9. (*As Amended 1875.*) Any person or persons who shall, on the Sabbath day or night, keep open any tippling house, bar or place where intoxicating drinks are or may be kept, or who shall, on the Sabbath day or night, sell or give away within the limits of the city, except for medical purposes, any whiskey, wine, ale, or other spirituous or fermented liquors, or who shall suffer any person to play at billiards, cards or other games on his premises on the Sabbath day or night, shall, on conviction thereof, be punished by a fine not exceeding twenty-five dollars and imprisonment in the county jail, or jail of the city of Marquette, for a term not exceeding thirty days, or both such fine and imprisonment, in the discretion of the court before whom such conviction is had, for the first offence, and not exceeding one hundred dollars on conviction for any subsequent offence, or imprisonment in the county jail, or jail of the city of Marquette, for a term not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before whom such conviction is had.

Penalty.

Discharge of
fire arms

§ 383—SEC. 10. (*As Amended 1875.*) No person shall fire or discharge any cannon, gun, fowling piece, pistol or fire-arms of any description, or fire, explode or set off any squib, cracker or other thing containing powder or other combustible or explosive material, without permission from the common council, or written permission from the mayor, which permission shall limit the time of such firing, and shall be subject to be revoked by the mayor or common council at any time after it has been granted. Any violation hereof shall subject the party so offending to a fine not less than two dollars nor more than twenty dollars, or imprisonment in the county jail, or jail of the city of Marquette, for a term not exceeding thirty days, or both such fine and imprisonment, in the discretion of the court before whom such conviction is had.

Permits.

Penalty.

Fast driving
of horses.

§ 384—SEC. 11. (*As Amended 1875.*) Any person who shall immoderately ride or drive any horse in any street, alley or public place within the limits of this city, shall be fined not less than two dollars, nor more than twenty dollars, or be imprisoned for a term not exceeding thirty days in the county jail, or jail of the city of Marquette, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had. And it is hereby made the duty of every officer, and it shall be lawful for any citizen, to stop any person who may be immoderately riding or driving as aforesaid.

Penalty.

Duty of
officers.

§ 385—SEC. 12. No person shall vend, give or deliver, with-
in the city, any deadly poison, knowing the same to be such,
without marking the same in legible characters, "POISON", un-
der a penalty of five dollars for each offense.

Deadly
poisons, how
marked.
Penalty.

§ 386—SEC. 13. (*As Amended 1875.*) All scaffolds, staging
and other similar contrivances, erected in the city for use in the
erection or repairing of stone, brick, or other buildings, shall be
well and safely supported, and of sufficient width and properly
secured so as to insure the safety of persons working thereon or
passing under or by the same, against the falling thereof, or of
such materials as may be used, placed or deposited thereon.
Any scaffold which may be otherwise erected, shall be deemed a
nuisance, and any person who shall erect or use, or caused to be
erected or used, any scaffold, staging or contrivance contrary to
the provisions hereof, shall be subject to a fine of not less than
five dollars and not exceeding one hundred dollars, or imprison-
ment in the county jail, or jail of the city of Marquette, for a
term not exceeding thirty days, or both such fine and imprison-
ment, in the discretion of the court before which a conviction
is had.

Scaffolds etc.,
to be secure.

When a
nuisance.

Penalty.

§ 387—SEC. 14. (*As Amended 1875.*) No person or persons
shall play any game of ball in the public streets or use or exer-
cise in the public streets any game, sport or exercise likely to
scare horses, injure passengers or embarrass the passage of
vehicles, under a fine for each offence of not less than two dol-
lars nor more than ten dollars.

Ball playing
in streets
prohibited.

Penalty.

§ 388—SEC. 15. (*As Amended 1875.*) Any person who shall
keep or leave open any cellar door or grating of any vault, on
any highway or sidewalk, or suffer the same to be kept or left open,
or who shall suffer any sidewalk in front of his premises to be-
come or continue so broken as to endanger life or limb, shall be
subject to a fine of not exceeding twenty-five dollars in each
case.

Doors and
gratings
opening on
streets.

Dangerous
sidewalks.

Penalty.

§ 389—SEC. 16. No person shall sell, offer to sell or dispose
of any impure, unwholesome, adulterated or diluted milk, or
any unwholesome, stale, emaciated, tainted, putrid, or diseased
meat, poultry or other provisions, or any that from any cause
are unfit to be eaten, under a penalty of not less than five dol-
lars nor exceeding twenty-five dollars for each and every offense.

Sale of
impure and
unwholesome
food.

Penalty.

§ 390—SEC. 17. (*As Amended 1875.*) No person shall in-
decently exhibit or let any stud horse, bull or jack within the
limits of the city, unless in some enclosed place out of public
view, nor shall the owner or owners of any stud horse, bull or
jack, permit the same to run at large in any of the public streets
of the city. Any person or persons violating the provisions of
this section, shall be fined not less than five dollars for each
offense.

Indecent
exhibitions.

Penalty.

§ 391—SEC. 18. (*As Amended 1875.*) If any person or per-
sons within the city shall keep a common, ill-governed, disor-
derly or gaming house, or keep any place or a house or place
for the resort of persons of evil name, or of dishonest conversa-

Disorderly
and gaming
houses.

Immoral conduct.	tion, or shall procure, or suffer to come together at any house or place persons of evil name or fame; or shall at any house or place suffer any immoral, indecent or improper conduct or behavior, or any reveling, riot or disturbance; every such person or persons so offending, or who shall aid, abet or assist in such offending, shall on conviction thereof be fined in a sum not less than twenty-five dollars nor exceeding one hundred dollars, or by imprisonment in the county jail, or jail of the city of Marquette, for a term not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before which a conviction is had.
Penalty.	
Noise, riot, disturbance, breach of the peace, etc.	§ 392—SEC. 19. (<i>As Amended 1875.</i>) Any person who shall make, aid, countenance or assist in making any improper noise, riot, disturbance, false alarm of fire, breach of the peace or improper diversion, or shall use threatening, abusive or obscene language toward any other person, or language or conduct tending toward a breach of the peace, in the streets or elsewhere within the city, and all persons who shall collect in bodies or crowds for unlawful purposes, or for any purpose to the annoyance or disturbance of citizens or travelers, shall be deemed guilty of disorderly conduct, and shall be severally subject to a fine of not less than two dollars nor exceeding fifty dollars, or imprisonment in the county jail, or jail of the city of Marquette for a term not exceeding sixty days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had.
Unlawful assemblies.	
Penalty.	
Obstructing of officer.	§ 393—SEC. 20. (<i>As Amended 1875.</i>) Any person who shall wilfully hinder or obstruct any officer of the city in the performance of any duty required of him, in pursuance of the charter of incorporation of this city, or the ordinances or resolutions of the common council, shall be subject to a fine of not less than twenty-five dollars, nor exceeding one hundred dollars, or be imprisoned in the county jail, or jail of the city of Marquette, for a term not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had.
Penalty.	
Dangerous explosives.	§ 394—SEC. 21. Any person who shall land in the harbor of this city, or manufacture within the city limits, or transport through or upon any of the streets of the city, any dynamite, nitro-glycerine or other similar dangerous explosive material or compound, without the consent of the common council thereto being first had and obtained, shall be fined not less than twenty-five dollars nor exceeding one hundred dollars, or imprisoned in the county jail or jail of the city of Marquette for a term not exceeding ninety days, or both such fine and imprisonment, in the discretion of the court before whom a conviction is had.
Permits.	
Penalty.	
Saloons open after eleven o'clock p. m.	§ 395—SEC. 22. (<i>As Amended 1873.</i>) No person shall directly or indirectly keep open any drinking saloon, bar or place where intoxicating drinks are sold or may be sold, nor allow persons to congregate at such place or places after the hour of eleven p. m.

§ 396—SEC. 23. (*As Amended 1875.*) Any failure to comply with, or violation of any of the provisions of the preceding section shall be punished by a fine of not less than fifteen dollars nor exceeding fifty dollars, or by imprisonment in the county jail or jail of the city of Marquette for a term not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court. Penalty.

NUMBER 14.

AN ORDINANCE RELATIVE TO THE PRESERVATION OF PUBLIC PEACE AND GOOD ORDER.

ADOPTED NOV. 22, 1893.

The City of Marquette ordains:

§ 397—SEC. 1. Persons shall not collect, stand in crowds, or remain loitering on the sidewalk, or in the street or at the corner of streets, or in alleys or in any other public place or in front of or near to any church, public hall, place of amusement or place of worship. Crowds and loitering prohibited.

§ 398—SEC. 2. No child under the age of sixteen years shall loiter, run, stand or be in or upon any street, alley or other public place after 9 o'clock in the evening, unless such child be accompanied by parent or other person of mature years or be upon the business of its parent or guardian. Children in streets after nine p. m.

§ 399—SEC. 3. No one shall annoy or molest by words or by hurling any missile or otherwise any person in any street or other public place. Assaults, etc.

§ 400—SEC. 4. Any violation of any provision of this ordinance shall be punished by a fine not to exceed fifty dollars and costs of prosecution. Penalty.

NUMBER 15.

AN ORDINANCE TO PROHIBIT THE RECKLESS EX- POSURE OF PERSONS TO INJURY IN CON- NECTION WITH STREET RAILWAY CARS, AND THE STEALING OF RIDES ON SUCH CARS.

ADOPTED JUNE 8, 1896.

Whereas, Persons recklessly disregardful of danger to their personal safety jump upon and off from the platforms, steps, footboards and other parts of street railway cars while the same are in motion; and persons for the purpose of annoying drivers of street railway cars, recklessly and in bravado go upon and Preamble.

across and stand upon street railway tracks in front of cars then approaching thereon; and persons recklessly race with such cars and go along in dangerous proximity thereto while the same are in motion, and persons for the purpose of obtaining rides upon such cars without paying fare therefor go aboard such cars and get upon the platforms, steps, footboards and other parts thereof, and leave such cars without paying fare and jump therefrom in order to avoid being called upon for payment of such fare,

Now therefore, in order to prohibit and punish such conduct, The City of Marquette ordains:

Getting on or off cars in motion.

§ 401—SEC. 1. No person shall wantonly get upon or jump off from any platform, step, footboard or any other part of any street railway car while such car is in motion.

Going on track prohibited, when.

§ 402—SEC. 2. No person on foot or upon any animal or vehicle shall wantonly or in bravado go upon or across or stand or be upon any street railway track, or in close proximity thereto, in front of any street car then approaching thereon; or shall race with any street car or go along in dangerous proximity to any such car while the same is in motion.

Racing with cars.

Riding on steps, etc., prohibited.

§ 403—SEC. 3. No person shall be upon or cling to any step, footboard, drawbar, railing or other outside portion of any street car while the same is in motion, nor while riding upon any street car shall leave or jump from the same without having paid or tendered to the conductor thereof payment of the fare properly chargeable for such ride.

Payment of fare.

Violations, how punished.

§ 404—SEC. 4. Any person willfully violating any of the provisions of this ordinance, upon conviction thereof, shall forfeit and pay to the city a fine, in the discretion of the court imposing the same, of not less than one dollar nor more than twenty dollars and the costs of prosecution; and in default of the payment of the same, shall, in the discretion of the court before whom such conviction was had, be committed to the city lockup or to the jail of the county of Marquette until such fine and costs is paid, not exceeding thirty days in all.

NUMBER 16.

AN ORDINANCE TO REGULATE THE BLOWING OF STEAM WHISTLES WITHIN THE CITY LIMITS.

ADOPTED JUNE 5, 1882.

Blowing of whistles prohibited.

§ 405—SEC. 1. It is hereby ordained by the common council of the city of Marquette: That the blowing of steam whistles within the limits of this city, or within the harbor thereof, is hereby prohibited.

Exceptions to above prohibitions.

§ 406—SEC. 2. The prohibition of the preceeding section shall not apply to the use of steam whistles, so far as may be

necessary, in cases of public alarm or as signals of danger to person or property; to the use of a single blast of the whistle upon manufacturing establishments at such hour as may be appointed for the assembling of employees for morning and afternoon work, also a like blast at 12 o'clock noon, and at the close of work for the day; also to the use of a single blast of the whistle by steamers lying at docks, as a signal for departure; or to a single blast by locomotives approaching a station, at such appropriate distance therefrom as may be appointed. *Provided,* That no such blast, to be given under the permission of this section, shall exceed five seconds in duration. Duration of blast.

§ 407—SEC. 3. Any person violating the prohibition of this ordinance, shall, upon conviction thereof, be punished by a fine of not less than two dollars nor more than ten dollars for each offense. Violations, how punished

NUMBER 17.

AN ORDINANCE PROHIBITING THE USE OF SLING SHOTS.

ADOPTED DEC. 3, 1883.

Be it ordained by the common council of the city of Marquette:

§ 408. That any person who shall with his hand, a sling shot, or any other device, project or throw a stone, shot or any other hard substance at, on or towards any animal or bird, on or in any private premises, or toward any building in the city of Marquette shall be punished by a fine of not less than two dollars or by imprisonment in the county jail of not less than one day; or by both such fine and imprisonment in the discretion of the court. Throwing stones, etc., prohibited.
Penalty.

NUMBER 18.

AN ORDINANCE FOR THE PREVENTION OF COASTING, SKATING OR RIDING ON DOG SLEIGHS.

ADOPTED DEC. 3, 1883.

It is hereby ordained by the common council of the city of Marquette:

§ 409—SEC. 1. (*As Amended 1890.*) That no person or persons shall hereafter indulge in the sport or pastime of coasting, sliding on sleighs, or driving on dog sleighs on the sidewalks of Coasting and sledding on sidewalks prohibited.

Coasting, where pro- hibited.	any of the streets of the city of Marquette, and that no person or persons hereafter shall indulge in the sport or pastime of coasting upon any portion of Front, Third, Fourth, Fifth, Sixth and Seventh Streets, between Ridge Street and Washington Street in said city.
Violations, how pun- ished.	§ 410—SEC. 2. That any person or persons who shall be found violating this ordinance shall upon conviction thereof be punished by a fine not exceeding ten dollars or by imprisonment not exceeding five days, or both such fine and imprisonment in the discretion of the court before which such conviction is had.
Duty of officer.	§ 411—SEC. 3. It shall be and is hereby made the duty of every officer of the city to arrest any person violating this ordinance.

NUMBER 19.

AN ORDINANCE REGULATING THE USE OF BI- CYCLES, TRICYCLES, VELOCIPEDES, MOTO- CYCLES, AND OTHER SIMILAR VEHICLES IN THE STREETS, AVENUES AND PUB- LIC WAYS.

ADOPTED JULY 6, 1896.

The city of Marquette ordains:

Riding of vehicles on sidewalks unlawful.	§ 412—SEC. 1. No person shall ride upon or along any sidewalk in any street, avenue or public way in said city, any bicycle, tricycle, velocipede, motorcycle or other wheel vehicle designed to be propelled either in whole or in part by the power of any rider thereof or by any engine, battery, or other mechanical means; except wheel chairs for the conveyance of invalids or cripples; nor shall any person ride any such vehicle upon any part of any street, avenue or public way in said city unless there shall be properly attached to such vehicle a good alarm bell, and while so riding approach, cross or attempt to cross, or shall run or turn into any other street, avenue or public way without having first, while so approaching such other or cross street, vigorously sounded such alarm bell at least three times within the space of one hundred feet and fifty feet distant from such other cross street, avenue or public way.
Exception.	
Alarm bells.	
Sounding alarm.	
Violations, how pun- ished.	§ 413—SEC. 2. Any person wilfully violating any of the provisions of this ordinance, upon conviction thereof, shall forfeit and pay to the city a fine in the discretion of the court, imposing the same of not less than one dollar nor more than twenty dollars, and the costs of prosecution; and in default of the payment of the same, shall in the discretion of the court before whom such conviction shall be had, be committed to the

city lockup or to the jail of the county of Marquette until the same is paid, not exceeding thirty days in all: *Provided*, That Proviso. the provisions of this ordinance shall not apply to children under the age of eight years.

NUMBER 20.

AN ORDINANCE RESPECTING THE PUBLIC LAMPS AND LAMP POSTS.

ADOPTED JUNE 1, 1871.

*It is hereby ordained by the common council of the city of
Marquette:*

§ 414—SEC. 1. That any person who shall carelessly or maliciously break, deface or in any way injure or destroy any public lamp or lamp post of the city, or climb upon or hitch any horse or other animal to any public lamp post, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood or any other heavy material upon or against the same, or who shall extinguish or cause to be extinguished, or light or cause to be lighted any of said lamps, unless duly authorized to do so by the proper authorities of the city, or by the Marquette Gas Light Company, shall forfeit the penalty of ten dollars for each Penalty. and every offense. Injuring public lamps, etc., prohibited.

NUMBER 21.

AN ORDINANCE FOR THE PROTECTION OF PUBLIC PARKS, CEMETERIES AND GROUNDS.

ADOPTED JULY 17, 1891.

It is hereby ordained by the common council of the city of Marquette:

§ 415—SEC. 1. No person, without lawful authority, shall dig up, fell, cut, girdle, peel, trim, prune or in any manner injure or kill, or permit any animal to injure any tree, shrub, brush or vine, or cut, dig up or remove, drive upon or in any manner injure any sod, grass, greensward or lawn, or any cultivated plant or flower, or dig, move or remove any earth, gravel, stone or rock in or upon any of the public parks, cemeteries or grounds of the city. Trees, shrub, sod, plants, etc., not to be injured.

Monuments,
fences, etc.,
not to be
injured.

§ 416—SEC. 2. No person shall, without lawful authority, take down, remove, deface, injure or destroy any monument, sign, guide board bridge, walk, steps, fence, railing, seat, stand, bower, booth, pavilion, building, trellis, fountain, lamp, swing, flag-staff or other structure or device in any of the public parks, cemeteries or grounds of the city.

Fires
prohibited.

Firing guns,
other dis-
turbances.

§ 417—SEC. 3. No person shall make, build or start any open fire or set fire to any brush, grass, leaves or other combustible material, or shoot off, fire or explode any gun, pistol or other weapon, or any explosive substance, or make or engage in any disturbance or improper noise, fight or riot, or be or become drunk or intoxicated nor shall any person shoot, snare, trap or catch or injure or kill any animal, bird or fowl, or destroy the nest or destroy the eggs of any bird, in any of the public parks, cemeteries or grounds of the city.

Animals.

Nuisances
prohibited.

§ 418—SEC. 4. No person shall commit any nuisance, or place, deposit or leave any garbage, refuse, rubbish, dead animal or vegetable substance, wood, lumber, stone or any other article or substance whatever, or cause the same to be done, in or upon any of the public parks, cemeteries or grounds of the city, and each and every day that any person guilty thereof shall neglect to entirely remove the same therefrom, shall be deemed a separate offence.

Immoderate
driving.

Vehicle tires.

§ 419—SEC. 5. No person shall ride or drive any animal, wagon, cart, carriage or other vehicle at a dangerous or immoderate rate of speed, or ride or drive or cause to be ridden or driven any vehicle with a greater or heavier load thereon than two hundred pounds for each wheel of said vehicle for each inch in width of tire thereon, in or upon any of the public parks, cemeteries or grounds of the city.

Private
devices and
structures.

Posting or
scattering
bills.

§ 420—SEC. 6. No person shall without lawful authority, make, erect, maintain or keep any sign, device, stand, bower, booth, pavilion shed, building, platform or other structure or scatter, distribute or leave any hand-bill, dodger or advertisement, or make or post up any notice, bill or advertisement, or cause the same to be done, in or upon any of the public parks, cemeteries or grounds of the city.

Gainful
occupations
and sports
prohibited.

§ 421—SEC. 7. No person shall without lawful authority sell or offer for sale any goods wares, merchandise or thing, or be engaged in any business, calling, trade, traffic or occupation for gain, except the transportation of passengers, or engage in any sport, show, entertainment or diversion for which pay is demanded or received; in any of the public parks, cemeteries or grounds of the city.

Violations,
how
punished.

§ 422—SEC. 8. Any person violating any of the provisions of this ordinance shall upon conviction thereof, be punished by a fine of not less than ten dollars nor exceeding one hundred dollars, or by imprisonment in the county jail, or jail of the city of Marquette, for a term not exceeding ninety days, or both said fine and imprisonment in the discretion of the court.

NUMBER 22.

AN ORDINANCE RELATIVE TO OPENING AND
CLOSING SALOONS.

ADOPTED MAY 3, 1897.

The City of Marquette ordains:

§ 423—SEC. 1. All saloons and other places in said city where spirituous, malt brewed, fermented or vinous liquors are sold and kept for sale are hereby authorized and empowered to open such saloons or other places where such liquors are or any of them are sold, at six o'clock in the morning of each day, and remain open until eleven o'clock at night of each day, Sundays and legal holidays excepted. Saloons may open from six a. m. to eleven p. m.

NUMBER 23.

AN ORDINANCE DEFINING THE DUTIES OF FIRE
WARDEN, AND FOR THE PROTECTION
OF PROPERTY FROM DAN-
GER BY FIRE.

ADOPTED APRIL 4, 1872.

*It is hereby ordained by the common council of the city of
Marquette:*

§ 424—SEC. 1. The fire warden shall notice and correct any infraction of the laws and ordinances respecting the protection of the city from fires in the city generally; and in case more than one fire warden shall be appointed by the common council, it shall be the duty of each of the said fire wardens to act as such within and for the district designated for that purpose by the common council. Fire wardens to require compliance with fire laws etc. District wardens.

§ 425—SEC. 2. (*As Amended 1872.*) It shall be the duty of the said fire warden, (or fire wardens in their respective districts) at least twice in each year, between the first day of November and the first day of May, between sunrise and sunset and at such other times as he may deem it necessary or be required by the common council to enter all buildings and enclosures in the city; to examine and discover whether the same are in a dangerous state, and if they are, to give notice to the owner or occupant, requiring him immediately to place the same in a secure condition, and if the same be not forthwith done, to report the fact to the common council. He shall also have the power and it is hereby made his duty to see that all chimneys, hearths, fire places, stoves and pipes thereto, ovens, boilers, fire-arches or To enter buildings. To inspect. Notice to owners. To enforce proper construction of chimneys, etc.

Ashes and combustible materials.	any structure or apparatus that may be dangerous in causing or promoting fires, are constructed or placed in such a manner as to secure the greatest protection against fire; also to examine the places where ashes are deposited or other combustible materials may be lodged; and the said fire warden (or fire wardens) shall give such directions in regard to the several foregoing matters, as he may deem expedient, either as to the removal, alteration or better care and management thereof; which directions shall be obeyed and complied with by the person or persons so directed, and at their expense.
Directions to be given, when.	§ 426—SEC. 3. (<i>As Amended 1896.</i>) No building shall hereafter be erected within the fire limits, of more than one story in height which shall not be furnished with a scuttle or door to go out on the roof, and a convenient stairway leading to the same, and each month during which such building shall remain without such scuttle or door and stairs shall be deemed a separate violation of this section.
Scuttles required on buildings in fire limits.	§ 427—SEC. 4. No pipe of any stove, fire-place or heating apparatus, shall be put up or used in any building, unless the same be conducted into a chimney of brick or stone; and in all cases where a stove pipe passes through the wood work of a building, it shall be separated from such wood work at least six inches, by metal or other incombustible material.
Stove pipes and flues, how erected.	§ 428—SEC. 5. No person shall place or keep in any exposed place any hay, straw, wood shavings, or other like easily kindled combustibles, without having the same securely enclosed, so as to protect them from flying sparks of fire; and no person shall set on fire or burn, or cause to be set on fire or burned, any hay, straw, chips, shavings or other like combustible substances, in any street or within fifty feet of any building.
Care of combustible materials.	§ 429—SEC. 6. No ashes shall be kept or deposited in any wooden box or barrel, or in any place or receptacle deemed unsafe or dangerous by the fire warden.
Setting fires.	§ 430—SEC. 7. No lighted candle or lamp shall be used in any stable, building or other place where hay, straw, shavings, or other like combustible materials shall be stored or lodged, unless the same is well secured in a lantern.
Keeping of ashes.	§ 431—SEC. 8. Any violation of or failure to comply with the provisions or requirements of this ordinance, shall be punished by a fine of not less than five dollars, nor exceeding one hundred dollars.
Open lights prohibited, when.	
Violations punishable.	

NUMBER 24.

AN ORDINANCE RELATIVE TO THE FIRE LIMITS,
AND THE CONSTRUCTION OF BUILDINGS
THEREIN.

ADOPTED APRIL 4, 1872.

It is hereby ordained by the common council of the city of Marquette:

§ 432—SEC. 1. (*As Amended 1889.*) All that part of the city of Marquette embraced within the following limits shall constitute and be known as the fire limits of the said city, to-wit: Beginning at the intersection of the center of Fourth and Bluff streets, thence on Bluff to the center of Third street, thence along the center of Third to the center of Ridge, thence easterly on the center of Ridge street to the west line of lot No. One in Hewitt's Addition produced to the center of Ridge street, thence southerly at right angles with Ridge street to the shore of Lake Superior; thence southerly along the shore of Lake Superior to the center of Fisher street produced to the shore of Lake Superior; thence westerly along the center of Fisher street so produced to the shore of Lake Superior and on the center of Fisher street to the center of Fourth street; thence northerly on the center of Fourth street to the place of beginning.

Fire limits.

Boundaries.

§ 433—SEC. 2. (*As Amended 1896.*) No person shall erect or place and building or part of any building within said fire limits (except as hereinafter excepted, or unless duly authorized thereto by the fire wardens or common council acting in pursuance of the ordinances of the city) unless the same shall be constructed in conformity with the following provisions:

Erection of buildings in fire limits.

First. The outside and party walls of all buildings erected in that portion of said fire limits lying between the centers of Ridge and Rock streets and Lake and Third streets shall be made of stone, brick or other fire-proof material.

Walls in certain district.

Second. In all other parts of the fire limits the outer walls of all buildings not made of stone, brick or other fire proof material shall be protected by an outside wall of brick or other fire-proof material at least four inches in thickness: *Provided,* That this sub-section shall not apply to buildings used exclusively for dwellings.

Walls in other places.

Third. The roofs of all buildings erected within the limits in this section above mentioned shall be made of metal, slate, gravel or other fire-proof material; the gutters shall be of metal, the cornices shall be of brick, stone or iron securely fastened; the division walls shall be of stone or brick, not less than eight inches thick, and shall extend at least two feet above the sheeting of the roof, and in no case shall the sheeting of the roof extend across any division or end wall, and all openings in division walls shall be protected by tight iron doors on each side thereof.

Roofs.

Cornices, party walls, etc.

Thickness of
outside walls.

§ 434—SEC. 3. (*Adopted* 1898.) Such outside or inclosing walls shall be of not less than the thickness in inches for the respective stories prescribed in the following table:

Height of buildings exclusive of basement.	Basement	First Story . . .	Second Story . .	Third Story . . .	Fourth Story . .	Fifth Story . . .	Sixth Story . . .	Seventh Story .
1 Story	16	12	12	12	12	12	12	12
2 Stories	16	12	12	12	12	12	12	12
3 Stories	24	16	12	12	12	12	12	12
4 Stories	24	20	16	16	12	12	12	12
5 Stories	24	20	16	16	12	12	12	12
6 Stories	30	20	20	16	16	12	12	12
7 Stories	36	20	20	20	16	16	12	12

Thickness of
party walls.

All such party or division walls shall be of not less than the thickness in inches for the respective stories prescribed in the following table:

Height of buildings exclusive of basement.	Basement	First Story . . .	Second Story . .	Third Story . . .	Fourth Story . .	Fifth Story . . .	Sixth Story . . .	Seventh Story .
In 1st Story	16	8	8	8	8	8	8	8
In 2nd Story	16	8	8	8	8	8	8	8
In 3rd Story	24	12	8	8	8	8	8	8
In 4th Story	24	12	12	8	8	8	8	8
In 5th Story	24	16	12	12	8	8	8	8
In 6th Story	24	20	16	12	12	8	8	8
In 7th Story	30	20	16	16	12	12	8	8

Repairs of
partially
destroyed
buildings.

§ 435—SEC. 4. No wooden building in said fire limits which may be hereafter partially destroyed by fire or otherwise, shall be repaired, unless the damages thereto are less than fifty per cent of its value, and if less than fifty per cent, no such building shall be repaired in such a manner as to be in any portion thereof higher or to occupy any greater space than before the injury thereto. The extent of damage that may be done to any building may be determined by three disinterested persons resident of the city, one of whom shall be selected by the owner of the building, the second by the common council, and the two so

Damage, how
determined.

chosen shall elect a third, and the decision of the persons so appointed or a majority thereof, shall be final and conclusive.

§ 436—SEC. 5. No wooden building or part of building within the fire limits shall be removed to any other lot within the same, nor shall any such building be removed into the fire limits; nor shall any such building within the fire limits be raised above its present height, nor enlarged or altered in such a manner as to occupy more space than at the time of the adoption of this ordinance.

Removal of wood buildings.

Raising and enlarging.

§ 437—SEC. 6. Sheds not exceeding twelve feet in height at the peak or highest part thereof, and privies not exceeding ten feet square, and twelve feet in height at the peak, may be constructed of wood, and shall not be subject to the provisions of this ordinance: *Provided*, That the term "shed" be so construed as to mean a structure with a roof sloping only one way, with one or more sides of such structure entirely open; but all depositories for ashes, within or without the fire limits, shall be built of brick or other fire proof material, without wood in any part thereof.

Sheds, etc., permitted.

"Shed" defined.

§ 438—SEC. 7. (*As Amended 1896.*) The fire wardens may authorize in writing the erection, enlarging, raising, repairing or removal from one lot to another, of wooden buildings within said fire limits under such restrictions and upon such conditions as they shall in any case see fit to prescribe, but in no case where the risk of fire to any adjacent building would in their judgment be materially increased thereby. The fire wardens shall keep a record of all such permits issued by them, and file a copy thereof with the recorder: *Provided*, That in case any person shall be aggrieved by the action of the fire wardens in refusing any permit or in prescribing such restrictions and conditions, the party aggrieved may appeal therefrom to the common council by filing a notice of such appeal with the recorder and causing notice thereof to be published in a public newspaper of said city within ten days from any such action appealed from and the common council may thereupon by resolution affirm, modify or revoke such action of the fire wardens; *Provided*, The appellant shall have caused notice of such appeal to be published in some public newspaper of said city at least one week before the meeting at which the common council shall act upon such appeal.

Wardens may permit erection, repairs, etc.

Record of permits.

Appeal to council.

§ 439—SEC. 8. Any owner, builder or other person who shall own, build or aid in the erection, repairing, enlarging, raising or removal of any building or part of building within the said fire limits, contrary to or in any other manner than authorized by the provisions of this ordinance, shall be subject to a fine of not less than twenty-five dollars and not exceeding one hundred dollars, in the discretion of the court or magistrate for the first offense, and to a like fine for every forty-eight hours such person shall fail to comply with the provisions of this ordinance, or continue in violation thereof.

Violations, how punished.

Buildings may be removed as nuisances when.

§ 440—SEC. 9. (*As Amended 1896.*) Any wooden building which may be erected, raised, enlarged, removed or repaired or be in process of erection, raising, enlargement, removal or repair contrary to the provisions of this ordinance, shall be deemed a nuisance; and it shall be the duty of the fire wardens, after twenty-four hours notice to the owner, occupant, person in charge or builder thereof to abate the same, to cause such building to be razed to the ground, and the expense thereof shall be reported to the common council for their approval, and when so approved may be collected of the owner of said building by suit.

Owner to pay expense.

Plans etc., of buildings to be erected, to be filed.

§ 441—SEC. 10. (*As Amended 1896.*) No person shall erect or place any building within said fire limits without previously filing with the fire wardens of the city, plans and specifications of such building for their approval. Such approval being considered by the common council as a permission to proceed with the erection of such building, but in case such proposed building shall not conform to the ordinances of said city, said wardens shall refuse to approve such plans and specifications.

Stand-pipes and ladders required.

§ 442—SEC. 11. (*Adopted 1898.*) All buildings, except such as are used exclusively for private residences, of three or more stories in height, now or hereafter erected within the fire limits, shall be provided and equipped with one or more stand-pipes and ladders combined with cast iron balconies, with suitable railings, at each floor, firmly secured to the outer walls and in such location or locations as shall be approved by the fire wardens. Such stand-pipes shall be three inches in diameter, of material approved by the board of fire and water commissioners, and shall extend from the ground to and above the roof, and shall have automatic siamese connection at bottom and hose couplings at top and bottom, to conform to the size and pattern adopted and used by the board of water and fire commissioners. Such ladders shall extend from bottom balcony to roof; and all buildings more than three stories in height used as hotels or for manufacturing purposes, shall have at least one combined metallic stand pipe and ladder approved by the board of fire and water commissioners; and if more than fifty persons are commonly lodged or employed in any such building above the first story thereof, there shall be at least two such combined ladders and balconies affixed to the walls of such building.

How constructed.

Notice to owners.

It shall be the duty of the fire wardens to serve notice in writing upon the owners or occupants of any building mentioned in this section of the requirements thereof, and it shall be unlawful to continue the use of or to use such building after one year from such notice if the requirements of this ordinance shall not have been complied with.

Unlawful use.

Prohibited use of buildings in fire limits.

§ 443—SEC. 12. (*Adopted 1898.*) No buildings in the fire limits, except those now so used, shall be hereafter occupied or used in whole or in part for any of the trades, occupation or business hereinafter mentioned, to-wit: Planing mills, sash, door and blind factories, cabinet furniture or wood working

manufactories, box or shingle factories, blacksmith or boiler shop, saw mills, lime kilns, gas works, dry kilns, or storage oil tanks of greater capacity than one hundred gallons.

NUMBER 25.

AN ORDINANCE RELATIVE TO THE HARBOR OF MARQUETTE.

ADOPTED SEPT. 30, 1872.

It is hereby ordained by the common council of the city of Marquette:

§ 444—SEC. 1. No person shall throw or deposit in the harbor of the city of Marquette, any ballast or any other substance whatever which may in any respect tend to fill up the same or injure the navigation thereof. Deposits prohibited.

§ 445—SEC. 2. No steamboat or other vessel shall anchor within one hundred feet of any wharf in said city, or in such manner to obstruct the free passage of vessels in and out of the harbor: *Provided always*, That nothing herein shall be construed to prevent any vessel from lying alongside of any dock, with the consent of the owner of said dock. Anchoring near wharfs.

§ 446—SEC. 3. All steamboats and tugs coming to or going from the docks shall be moved under a low head of steam and slowly so as not to endanger the docks or other crafts in port; and all sail vessels shall likewise be moved slowly and under short sail, so as not to in any case endanger or injure other vessels. All vessels or crafts of any description, while in the harbor, shall have and keep outboard, during the night time, a conspicuous light, elevated at least six feet above decks, and no vessel, craft, sail or float shall be suffered to lie in the harbor adrift, or insecurely fastened. Boats to move slowly.

§ 447—SEC. 4. The common council may annually appoint, at the first regular meeting in April, or at any regular meeting thereafter, on the nomination of the mayor, a harbor master who shall hold his office one year, subject to removal by the mayor for gross misconduct or neglect; and who shall file with the recorder an oath of office, and give a bond to the city in the sum of one hundred dollars for the faithful discharge of his duties as harbor master. And in case of the sickness or other disability of said harbor master he may appoint a deputy to perform his duties during such sickness or disability; and such harbor master, when so appointed, shall receive for his services such sum as the common council shall from time to time prescribe. Lights.
Harbor master.
Oath and bond.
Deputy.

NOTE TO SEC. 4. Since 1891 the charter has provided manner of appointment and term of office of the harbor master.

Duty of
harbor
master.

§ 448—SEC. 5. It shall be the duty of the harbor master to enforce the execution of the several provisions of this ordinance and of all other laws and ordinances passed in pursuance of the charter of the city for regulating and preserving the navigation of the said harbor, and to make the necessary complaint for violation thereof.

Authority
of harbor
master.

§ 449—SEC. 6. The said harbor master shall have authority to protect the owners and the occupants of wharves and docks within the city in the free and undisturbed use of the same; and he is authorized to regulate the anchorage of all vessels or crafts of any description lying in the said harbor, and to give such orders and regulations relative to the removal of any wreck or sunken or sinking craft, or to the location and change of station of any steamboat, tug or other vessel as shall be for the interests of trade and navigation, having respect at all times to the rights of occupants of wharves and docks; and to this end he shall have full authority to go on board of any and move any steamboat, tug or other vessel or craft that shall be without right or consent occupying any of said docks or wharves, or anchored contrary to or violating any of the provisions of this ordinance, and every owner, captain, master, consignee or other person having in charge any such steamboat, tug or other vessel or craft shall be liable to the penalties of this ordinance for refusing or neglecting to comply with such order or direction, and any person who shall obstruct, hinder or resist said officer in going aboard of said steamer, tug, vessel or craft, in conformity to the powers herein vested in him shall be liable to the penalties of this ordinance.

Owners,
masters, etc.,
liable, when.

Complaints.

§ 450—SEC. 7. Whenever the harbor master shall receive a written or verbal complaint or information, or in any manner know of a violation of this ordinance, it shall be his duty forthwith to repair to the place where such violation has occurred or is occurring and to exercise any and every power vested in him to enforce this ordinance, and to complain of the person or persons guilty of said violations; and if such harbor master shall refuse or neglect to comply with the provisions of this section, such refusal shall be deemed sufficient ground for his removal from office.

Harbor
master to act.

Violations,
how pun-
ished.

§ 451—SEC. 8. Every owner, master, captain, consignee or other person having in charge any steamboat, tug or other vessel or craft or raft used in violation of this ordinance, and any person or persons violating or failing to comply with the provisions thereof, shall be punished by a fine not exceeding one hundred dollars and costs of prosecution for each and every offense, and in the imposition of any such fine and costs, the court may in any aggravated case make a further sentence that the offender or offenders be imprisoned in the county jail until the payment thereof, for a term not exceeding two months.

Police power
of harbor
master.

§ 452—SEC. 9. The harbor master, appointed under and by virtue of this ordinance, is hereby invested with all the powers

of special policeman, under the charter and ordinances of the city of Marquette.

NUMBER 26.

AN ORDINANCE TO ESTABLISH HARBOR LIMITS AND TO REPEAL ALL ORDINANCES INCONSIST- ENT HERewith

ADOPTED MARCH 3, 1888.

It is hereby ordained by the common council of the city of Marquette:

§ 453—SEC. 1. That the following shall be and is hereby established as the boundary line along the harbor of this city, beyond which no structure shall be erected in said harbor, to-wit: Beginning at a point in the west side of the government break-water seven hundred and ninety feet from the shore end thereof and running thence south eighty-seven degrees west, one thousand and forty feet to a point six hundred and sixty-three feet south along the east end of the Grace Furnace pier, from a brass post (one and one-half inches in diameter), in the center of Lake street; thence south eighty-seven degrees west, three hundred and eighty-five feet; thence south twenty and one-half degrees west, three thousand one hundred and ninety feet to a point eleven hundred and twenty-five feet from the outer end of A. R. Harlow's pier; thence south twelve and three-quarter degrees east to the east and west sub-division quarter line produced, of section twenty-six in township forty-eight north of range twenty-five west.

Harbor wharf
limits.

Boundaries.

§ 454—SEC. 2. No person, company or corporation shall erect or maintain any dock, wharf or other structure beyond said limits in said harbor as defined in section one of this ordinance.

Structures
prohibited.

§ 455—SEC. 3. Any person, company or corporation violating the provisions of section two of this ordinance by erecting or attempting to erect or maintain any dock, wharf or other structure in said harbor beyond said harbor limits as defined in section one of this ordinance, shall upon conviction thereof before a court of competent jurisdiction pay a fine of five hundred dollars, and every forty-eight hours' continuance of said structure shall be deemed a new violation of this ordinance.

Acts punish-
able.

§ 456—SEC. 4. All ordinances of this city inconsistent with the provisions of this ordinance are hereby repealed. The ordinance adopted February 16, 1888, entitled "An ordinance to establish harbor limits and repeal all ordinances inconsistent herewith" is hereby repealed.

Repeal.

NUMBER 27.

AN ORDINANCE RELATIVE TO THE PUBLIC HEALTH.

ADOPTED MARCH 7, 1898.

*The City of Marquette ordains:*Meetings of
board of
health.

§ 457—SEC. 1. For the exercise of the powers conferred by law upon the common council as a board of health, all meetings of the common council, regular and special, shall be deemed meetings of the board of health, at which any business in the exercise of such powers may be transacted, and any and all proceedings in the exercise of such powers taken and concurred in by a majority of the aldermen elect when assembled at any time and place in the city shall be of the same force and effect as though had at a regular meeting of said board, notwithstanding such meeting may not have been otherwise duly appointed and called. The mayor is hereby empowered to appoint and summarily call meetings of the common council as board of health; and it shall be the duty of each member of said board upon being notified of such call to comply therewith.

Summary
meetings.Duties of
health officer

§ 458—SEC. 2. In addition to the duties and powers conferred upon him by law, the health officer shall be the sanitary adviser of the board of health.

To learn,
what.

(a) He shall inform himself, as far as practicable, respecting all influences affecting or threatening to affect injuriously the public health in the city:

To inquire
into causes of
disease.

(b) He shall inquire into and ascertain, by such means as are at his disposal, the causes, origin and distribution of diseases in the city, and determine to what extent the same have depended on conditions capable of removal or mitigation.

To advise
board.

(c) He shall advise the board of health on all matters affecting the health of the city, as to the means of preventing or removing nuisances and causes of disease, and as to the propriety of adopting general sanitary regulations or special orders in particular cases:

To investi-
gate all
diseases
dangerous to
public.

(d) He shall take all practicable means to secure early information of the occurrence of cases of communicable disease, and on receiving notice, or having good reason to believe that there is, within the city, a case of disease dangerous to the public health, he shall investigate the subject without delay, advise and direct the persons competent to act as to the measures required to prevent the extension of the disease, and the vaccination or isolation of those who have been exposed to dangerous communicable disease:

Vaccination
etc.Medical care
etc.

(e) He shall, if necessary in particular cases, furnish the means for proper medical care and nursing:

Public notice
of danger.

(f) He shall give public notice of the presence of dangerous communicable diseases, and of infected places in the city, in such manner as he shall deem best, in addition to the placarding thereof:

(g) He shall advise the superintendents and teachers of schools concerning families in which there are contagious diseases, and may order the closing of schools when in his opinion the public health requires the same: To advise teachers of schools, etc.

(h) He shall direct and supervise funerals of persons who die from diseases dangerous to the public health: To supervise funerals, when.

(i) He shall direct and supervise the disinfection of buildings, rooms, furniture, clothing and all articles likely to be infected, or direct their removal or destruction, if deemed necessary by him: To direct disinfection.

(j) He shall, in such cases as he deems best, visit and inspect premises, buildings and vessels, and may condemn and prohibit the occupation or use of premises, buildings and rooms when unfit for human habitation, or when requiring alterations or cleansing in order to prevent injury to health or person: May inspect and condemn use of buildings etc.

(k) He shall direct and enforce the conditions necessary to be observed to prevent injury to health and person, in common lodging houses, manufactories, slaughter houses, livery stables or other buildings of like character: Lodging houses, etc.

(l) He shall from time to time fix, determine and establish the quarantine to be performed by vessels, vehicles and persons arriving within the city; to reduce the quarantine in particular cases: Quarantine of vessels or persons.

(m) He shall make and enforce such regulations, not inconsistent with the laws of the state or the United States or the ordinances of the city, as he may deem necessary and proper, concerning the mode of quarantine; the examination, disinfection and purification of vessels and goods; the apprehension, separation and treatment of immigrants and other persons who are found to be sick with contagious diseases, or who may have been exposed to infection; and such regulations may be made to extend to all persons and all goods and effects arriving in vessels or vehicles from any place, and to all persons who may visit or go on board of such vessels after their arrival: Regulation of quarantine etc.

(n) He may cause any vessel, railroad car or other vehicle, when it or its cargo is in his opinion so foul or infected as to endanger the public health, to be removed to such quarantine ground as may have been determined by him or the board of health, and cause the same to be thoroughly purified and disinfected; and he may also cause all persons arriving in or going on board of infected vessels, cars or other vehicles, or handling infected cargo, to be taken to any hospital, or other place designated for the reception of such persons, and there kept under his orders: Quarantine of vessels, cars, etc.

(o) He shall take such measures as he may deem effectual to prevent the entrance of any pestilential or infectious disease into the city, and may stop, detain and examine, and if deemed best by him, may quarantine for that purpose every person, vessel, ship, car or other conveyance coming from any place infected, or believed to be infected with any such disease: To prevent entrance of diseases into city.

Destruction
of furniture,
etc.

(p) He may remove from the city and may destroy any furniture, wearing apparel, goods, wares or merchandise or other articles of property of any kind which shall be suspected of being tainted or infected with any germs of pestilence, or which shall be or be likely to pass into such a state as to generate or propagate any disease:

Placarding of
premises.

(q) He shall require and enforce the placarding of appurtenances, buildings and premises where persons are or have lately been sick with any contagious or infectious disease deemed by him to be dangerous to the public health, and no person without his consent shall cover, deface or remove any placard, flag or notice posted anywhere by his direction:

May examine
and condemn
food.

(r) He shall examine milk and food substances supposed to be adulterated or unwholesome, and sold, kept or offered for sale in such supposed condition, and shall condemn and direct the destruction of such unwholesome food substances, and shall take measures to prevent the sale or use of such unwholesome substances for food:

Abatement of
nuisances.

Punishment
of offenders.

(s) He shall direct the abatement of nuisances, and shall take measures for the punishment of persons violating any law of the state or any ordinance of the city for the preservation of the public health, cleanliness and comfort, and do all acts which he shall deem necessary and expedient for the preservation of health and the suppression of disease in the city, and to carry into effect and execute the powers conferred by law upon the board of health and the health officer:

Marshal and
police to
assist, when.

(t) He shall and may call to his aid and assistance in the discharge of his duties the marshal and police of the city; and it shall be the duty of the marshal upon the requisition of the health officer, to detail police officers to serve under the direction of the health officer in the enforcement of the ordinances of the city and the orders of the health officer:

Monthly
reports.

(u) He shall report monthly to the board of health on the health and sanitary condition of the city, and his doings since his last previous report.

Arrival of
sick persons
to be
reported.

§ 459—SEC. 3. The owner, driver, conductor, master or person in charge of any stage, steamboat, vessel, railroad car or other public conveyance which shall enter the city having on board any person sick of malignant fever, or pestilential or infectious disease shall within two hours after the arrival of such sick person, report in writing the fact, with the name of such person and the house or place where he was put down in the city, to the mayor, health officer or some member of the board of health.

Infected
property not
to be brought
into city.

§ 460—SEC. 4. No person shall knowingly bring or procure, or cause to be brought into the city any property of any kind tainted or infected with any malignant fever or pestilential or infectious disease.

Certain sick
persons to be
confined.

§ 461—SEC. 5. No person having any contagious disease shall go about the city; and all persons having small pox, varioloid or other contagious or infectious disease, are hereby re-

quired to be kept closely confined within their respective dwellings or places of abode, if they have any, otherwise at such place as shall be ordered by the health officer, and no person who has been confined with such disease shall leave his or her place of abode and go about the city, until he or she is furnished with a certificate by the health officer that it can be done without communicating the disease to others; and the health officer shall furnish such certificate without charge.

Permit to go about.

§ 462.—SEC. 6. It shall be the duty of each member of the board of health to ascertain any nuisance which may exist in his ward and to forthwith report the same in writing to the health officer, and to enter upon the premises and into the house of every person in his ward as often as he shall deem necessary or the board of health shall order, and to examine into the health, cleanliness and the number of persons inhabiting such house, and inspect the cellars, vaults, privies and sewers on such premises. Each member of the board of health shall, upon learning that any person in the city is supposed to be infected with a malignant or infectious disease, promptly notify the health officer thereof.

Aldermen to report nuisances.

To enter premises.

To report infectious diseases.

§ 463.—SEC. 7. When any person coming from abroad or residing in the city shall be infected, or shall lately before have been infected with the small-pox, or other sickness dangerous to the public health, the health officer shall make effectual provision in the manner in which he or the board of health shall judge best for the safety of the inhabitants, by removing such sick or infected person to a separate house, if it can be done without danger to his health, and by providing nurses and other assistance and necessities, which shall be at the charge of the person himself, his parents or other persons who may be liable for his support, if able; otherwise, as a charge of the county to which he belongs: *Provided*, That the health officer shall keep and render to the board of health an itemized and separate statement of expenses incurred in so caring for each person.

Dangerous diseases, how treated.

Health officer to act, how.

To be at charge of county, when.

Account of expense.

§ 464.—SEC. 8. All bills for nurses and other assistance and necessities furnished by order of the health officer or the board of health and incurred under the preceding section of this ordinance, shall be itemized, sworn to, presented to the controller, audited and allowed in the same manner as are claims against the city of Marquette; and in case it is intended to present such bills to the board of supervisors of any county for payment, the recorder shall certify to said board of supervisors such allowance, and shall keep and render to such board of supervisors an itemized and separate statement of expenses incurred in so caring for each person: *Provided*, That upon the allowance by the board of health of any such bills, the city may in the discretion of the common council, pay the same, and thereafter present such claims in the name of the city to the proper board of supervisors for payment.

Claims against county, how audited.

Recorder to certify and render account.

City may pay bills and present to county.

§ 465.—SEC. 9. Any person considering himself aggrieved by any order, regulation, requirement, act or conduct of the health

Appeal to council from health officer.

How appeal
taken.

officer in the exercise of the powers conferred by this ordinance, may appeal from such order, regulation or requirement and may complain of such act or conduct by causing to be filed with the mayor an affidavit of himself or of some person in his behalf, setting forth the substance of such order, regulation, act or conduct, and wherein such person conceives himself aggrieved thereby. If such person demands an immediate meeting of the board of health to consider such matter the mayor may in his discretion call a special meeting of the board of health to be held at the earliest practicable time, at which meeting said board shall hear such appeal and may modify or revoke such order, regulation or requirement, and take such other action on such appeal as they deem proper: *Provided*, That any such order, regulation or requirement shall remain in force until modified or revoked by such health officer or said board of health.

Violations,
how pun-
ished.

§ 466—SEC. 10. Any failure to comply with or violation of any of the provisions of this ordinance or of any of the lawful orders of the board of health, or of any of the lawful orders of the health officer concurred in by the mayor, shall be punished by fine or imprisonment, or both, in the discretion of the court, the fine not to exceed one hundred dollars nor the imprisonment three months.

Repeal.

§ 467—SEC. 11. All ordinances and parts of ordinances inconsistent or in any way contravening the provisions of this ordinance are hereby repealed.

NUMBER 28.

AN ORDINANCE RELATIVE TO NUISANCES.

ADOPTED JUNE 1, 1871.

It is hereby ordained by the common council of the city of Marquette:

Deposits
prohibited.

§ 468—SEC. 1. (*As Amended 1898.*) No person shall throw, place, deposit or leave in any street, highway, lane, alley, public park, space or other place in the city, or in or upon any private premises, without the consent of the owner or his agent, any animal or vegetable substance, dead animal, fish, shells, shavings, dirt, paper, rubbish, excrement, filth, slops, unclean or nauseous water or liquor, hay, straw, ashes, cinders, soot, offal, garbage, swill or any other article or substance whatever which may become a nuisance or cause any noisome, offensive or unwholesome smell; nor shall any person cause the same to be done by another.

Offensive
substances
in private
premises.

§ 469—SEC. 2. No person shall keep, place or have on or in any private house, lot or premises in this city, any dead carcass, putrid, offensive or unsound beef, pork, fish, hides, skins, bones,

horns, stinking or rotten soap-grease, tallow, offal, garbage, or other animal or vegetable matter or substance, which may cause any unwholesome, noisome or offensive smell.

§ 470—SEC. 3. When any dumb animal shall die within the limits of the city the owner or person in possession of it shall, within twelve hours thereafter, cause the carcass to be removed to some place beyond the city limits, or buried in the ground and covered with earth at a depth sufficient to prevent its becoming a nuisance or matter of offense. Dead animals
disposition
of.

§ 471—SEC. 4. No owner or occupant of any grocery, cellar, tallow chandler's shop, tannery, butcher shop, slaughter-house, stable, barn, privy, sewer, or other building or place shall allow any nuisance to exist or remain on his or her premises. Nuisances
prohibited.

§ 472—SEC. 5. No person shall slaughter any beeves, sheep or other animals, within the city limits without the permission of the common council, to be granted only in the manner hereinafter provided. Any person desiring such permission shall make written application to the common council, specifying the premises whereon the same is to be conducted and which shall be so remote from the settled portions of the city, as not to be offensive to the public. If such application is granted, the applicant shall enter into a bond, with one or more sureties to be approved by the mayor, in the penal sum of not less than one hundred dollars, conditioned that such premises shall at all times be kept in a clean, healthy and inoffensive condition, and that he will faithfully comply with the requirements of all ordinances which may be passed by the common council, upon this subject; or with such rules and regulations as may at any time be prescribed by the board of health. No slaughtering
without
permit.

Application
and permit.

Bond and
conditions.

§ 473—SEC. 6. The keeper of any livery or other stable shall keep the stable and stable-yard clean, and shall not permit between the first day of June and the first day of November any manure to accumulate in or near the same, in such quantities to be offensive to the public. Livery
stables to be
kept clean.

§ 474—SEC. 7. No person shall collect or confine hogs, in pens or otherwise, so as to become offensive to his or her neighbor or neighbors. Keeping of
hogs.

§ 475—SEC. 8. Every dwelling-house, store, manufactory, or shop, hereafter built in the city, shall be provided with a suitable privy, the vault of which shall be walled up with two inch plank, brick or stone, and be sunk at least eight feet below the level of the earth; the inside of such vault shall be at least one foot distant from the line of every adjoining highway, street, lane alley or lot; and when there is a public sewer within one hundred feet of such privy, it shall be so constructed as to be drained into such sewer. Privies and
their con-
struction.

Sewer
connection.

§ 476—SEC. 9. No privy shall be emptied between the fifteenth day of June and the fifteenth day of September, unless by the written permission of some member of the board of health. Privies shall be emptied between the hours of 10 p. m. and 3 a. m., and at no other time. Emptying of
privies.

Swill and
garbage
vehicles.

§ 477—SEC. 10. Any cart, wagon, or other vehicle used, or intended to be used for the purpose of conveying swill, offal, garbage, excrement or night soil, shall be perfectly tight and covered, so as to prevent the contents thereof from leaking or spilling; and such cart, wagon or other vehicle, when not in use, shall not be allowed to stand in any street, alley, public place or square.

Steaming and
rendering of
animal sub-
stances.

§ 478—SEC. 11. No person shall steam or boil, or in any way render any offal, tainted or damaged lard or tallow, or steam or render any animal substance in such a manner as to occasion any offensive smell, or which will, by undergoing such process, so taint the air as to render it unwholesome or offensive to the smell, within the limits of the city.

Condition
of private
premises.

§ 479—SEC. 12. No person shall own, occupy or keep any grounds or other premises in such condition as to be offensive and a nuisance to the neighborhood, or permit any cellar, vault, drain, privy, pool, sewer or sink upon premises belonging to or occupied by him, to become nauseous, foul, offensive or injurious to the public health.

Animals not
to be at large.

§ 480—SEC. 13. No person being the owner of any hog, shoat or pig, or of any diseased or old or infirm animal, shall suffer the same to run or be at large, or be found at large.

Indecent and
immoral
posters and
pictures not
to be posted.

§ 481—SEC. 14. (*As Amended 1898.*) No person shall stick, post or fasten up anywhere in the city so as to be exposed to public view any sign, handbill or placard of any description having thereon any indecent, lewd or immoral picture, representation or language, or any advertisement calculated to incite attendance upon or the commission of any act or thing the doing of which is prohibited by law; nor shall any person cause the same to be done; nor shall any person stick, post or fasten up any sign, handbill or placard of any description, upon any public premises, building, bridge, fence or other public structure in the city, nor on any tree, pole, post, stepping block, curb or other structure in the streets or public places in the city, nor upon any private premises, building, fence, or other structure, without the permission of the owner or his agent: *Provided*, That this section shall not be construed to prohibit the posting upon poles and posts in the streets of notices required by law to be posted, nor to the posting or tacking up on such poles or posts of paper posters announcing public meetings and entertainments and such other paper posters as the mayor may in writing approve and permit to be so posted.

Where bill
posting pro-
hibited.

Certain
posting per-
mitted.

Violations
punishable,
how.

§ 482—SEC. 15. Any failure to comply with, or violation of any of the provisions of this ordinance, shall be punished by a fine of not less than five dollars, nor exceeding one hundred dollars, or by imprisonment in the county jail for a term not exceeding three months, or by both such fine and imprisonment in the discretion of the court.

Notice to
abate nuis-
ance.

§ 483—SEC. 16. In all cases where a nuisance shall be found, in any building, or upon any ground or other premises, within the jurisdiction of the city, twenty-four hours notice may be

given by the marshal or any other officer of the city, or any member of the board of health, to the owner or occupant of such building or other premises, where he is known and can be found, to remove such nuisance, and in case of his refusal or neglect to abate the same in accordance with such notice, he shall be chargeable with the expenses which may be incurred in the removal thereof, to be collected by suit or otherwise, in addition to the fine or penalty hereinbefore prescribed. Penalty for non-compliance.

§ 484—SEC. 17. The board of health shall have power, and it is hereby made their duty, and each member of such board of health, and the marshal and police of said city shall each have the power and it shall be the duty of each to make diligent inquiry with respect to all nuisances of every description in said city, which are or may be injurious to the public health, and abate the same summarily, and to make and enter a proper complaint for each and every violation of any of the provisions of this ordinance. Duty of board of health, marshal and police.

NUMBER 29.

AN ORDINANCE TO PREVENT THE WILLFUL AND NEGLIGENT INTRODUCTION OF CHOLERA AND CHOLERINE INTO THE CITY.

ADOPTED SEPTEMBER 8, 1892.

It is hereby ordained by the common council of the city of Marquette:

§ 485—SEC. 1. No person shall bring or assist in any manner to bring into the city or cause to be brought into the city any corpse or remains of any deceased person, knowing, suspecting or having good reasons to suspect or believe that the death of said person had been caused by cholera or cholerine; or any sick person, knowing, suspecting or having good reason to suspect or believe that the sickness of such person is caused by cholera or cholerine; or any person, property, article or thing, knowing, suspecting or having good reason to suspect or believe the same to be infected with the germs of cholera or cholerine. Certain bodies, persons and property, not to be brought into city.

§ 486—SEC. 2. No person shall knowingly bring or assist in any manner to bring into the city or cause to be brought into the city any person, property, article or thing recently coming or brought, directly or indirectly, from any country, city or place where cholera or cholerine is epidemic or has lately been epidemic, without a written permit from the health officer of the city naming said person so brought into the city, or specifically describing such property, article or thing. Persons and articles from infected districts.

§ 487—SEC. 3. Any violation of any of the provisions of this ordinance shall be punished by a fine not exceeding one Permit required.

Violations,
how pun-
ished.

hundred dollars for each offense, or by imprisonment in the county jail of the county of Marquette for a period of not exceeding ninety days, or both such fine and imprisonment in the discretion of the court.

NUMBER 30.

AN ORDINANCE REGULATING THE SANITARY CON- DITION OF BARBER SHOPS.

ADOPTED AUGUST 7, 1896.

The City of Marquette ordains:

Rules for
observance of
barbers.

§ 488—SEC. 1. That the following rules and regulations for the guidance, continuous observance and practice of barbers in said city be and they are hereby adopted and prescribed, and copies thereof to be furnished by the health officer shall be kept conspicuously posted in each and every barber shop by the proprietor or person in charge thereof.

To be posted.

Care of
hands.

(a) *Rule 1.* Each and every barber while practicing his trade shall keep his hands in a sanitary condition by paring and cleaning his finger nails and washing his hands immediately before any operation incident to his trade upon any person, in one of the following solutions; mercury bichloride, one part to two thousand parts of water, or carbolic acid or creoline, thirty drops to a pint of water.

Disinfection
of imple-
ments, etc.

(b) *Rule 2.* Each and every barber shall immediately before every cutting operation incident to his trade performed by him disinfect all razors, clippers, scissors and other tools used in such operations by dipping the cutting portions of such instruments in a bath of undiluted carbolic acid and then washing the whole instrument in either the carbolic acid or creoline solution specified under rule one above, and drying the same upon a towel specially reserved for such purpose, and shall disinfect all strops, combs and brushes immediately before each use thereof by washing the same in undiluted alcohol or in the creoline or carbolic acid solution specified under rule one above.

To use
sterilized
towels, etc.

(c) *Rule 3.* No barber shall use upon or about any person being operated on by him any towel or napkin which has been previously used on or about any other person unless since such former use the same has been thoroughly cleansed and sterilized in boiling water.

Application
of toilet
dressings.

(d) *Rule 4.* No barber shall apply magnesia, alum, bay rum or other toilet dressings or applications to the head, face or neck of any person except by means of powder blowers or atomizers.

Scalding of
soap cups,
etc.

(e) *Rule 5.* Before each and every shaving of any person by any barber he shall thoroughly scald with water at the boiling point any soap cup or lather dish used therefor.

(f) *Rule 6.* No barber shall use for shaving any person any soap cup or dish kept for public or promiscuous use unless there shall be kept for use therewith and used only therewith and alternately at least two lather brushes, and which brushes shall while not in actual use have been kept continuously in a bath of carbolic or creoline solution of the strength specified under rule one above, or in a bath of undiluted listerine, nor use on any person any brush not kept for the exclusive use of such person unless the same has been kept and thoroughly soaked in any such bath in this rule mentioned.

Disinfection
of cups,
brushes, etc.,
for public
use.

§ 489—SEC. 2. Any person upon being convicted of any violation of or failure to observe any of the provisions of this ordinance shall forfeit and pay to the city a fine of not less than one dollar and not more than twenty dollars in the discretion of the court or justice before whom such conviction shall be had and the costs of prosecution, and in default of the payment of the same such person may be committed to the city lock up or the county jail for a term not to exceed sixty days.

Violations,
how pun-
ished.

NUMBER 31.

AN ORDINANCE RELATIVE TO THE BURIAL AND REMOVAL OF THE DEAD.

ADOPTED NOV. 1, 1897.

The city of Marquette ordains:

§ 490—SEC. 1. No remains of any person whose death occurred elsewhere than in this city shall be buried, interred or otherwise disposed of at any place within this city, nor shall any corpse of any deceased person be removed from any place of its interment in this city, unless a permit therefor has been issued; nor shall any person bury, inter or otherwise dispose of any such corpse or remove any such corpse unless such permit therefor shall have been issued.

Burials and
removals not
to be made
without
permit.

§ 491—SEC. 2. In case the corpse of any person whose death occurred elsewhere than in the city, shall be brought into the city, it shall be the duty of the person having charge thereof, to forthwith file or cause to be filed with the recorder an affidavit stating to the best of the knowledge, information and belief of the affiant, the name, age, sex, nativity and color of such deceased person; the date and place of death and the name and character of the disease or circumstances causing the death of such deceased person: *Provided*, That the making and filing of such affidavit shall not be required in case there be filed with the recorder a permit for the removal of such corpse issued in pursuance of law, by the proper officer of any city, village or township in this state in which said deceased person died.

When death
occurs
elsewhere,
affidavit to be
filed.

Contents of
affidavit.

Proviso.

Recorder to
issue permits.

Removal
permits.

Record to be
kept.

Permit to be
deposited
with sexton.

Registers to
be kept by
sextons.

Certified
copy to be
filed.

Violations,
how pun-
ished.

§ 492—SEC. 3. Upon the filing of such affidavit or removal permit with him, the recorder shall issue a permit for the burial or other disposition of such remains. Upon the filing with him of any written application for a permit for the removal of any human corpse from its place of burial, endorsed or accompanied with the written advice and consent of the health officer thereto, the recorder shall issue a permit for the removal of such corpse from its place of interment. The recorder shall keep a record of all such burial and removal permits issued by him.

§ 493—SEC. 4. It shall be the duty of every undertaker, or other person acting as such, having in charge the interment of the remains of any person who died elsewhere than in this city, or the removal of any corpse from its place of burial in this city, to deposit with the sexton, superintendent or other person in charge of the cemetery wherein such interment is to take place or from which such removal is to be made, a burial or removal permit therefor, as the case may be, from the recorder, before any such interment or removal.

§ 494—SEC. 5. It shall be the duty of each of the sextons, superintendents and persons in charge of any cemetery in the city to keep or cause to be kept a register of all persons buried in such cemetery, or removed therefrom; showing the name of the deceased person, the number of the lot or location in which the body was buried and the date of burial and removal; a true copy of which shall be certified to each week by the sexton, superintendent or other person in charge of such cemetery, and shall be filed with the recorder.

§ 495—SEC. 6. Any violation of or failure to comply with any of the provisions of this ordinance shall be punished by a fine not to exceed one hundred dollars and costs; and in the imposition of any such fine and costs the court may make a further sentence that in default of payment thereof within a time to be fixed in such sentence, the offender be committed to the city lock-up or county jail for a period of time not exceeding ninety days.

NOTE. See Act No. 217, Laws of 1897, providing for the registration of deaths; printed in this volume.

NUMBER 32.

AN ORDINANCE RESPECTING THE PUBLIC PARK
AND CITY CEMETERY, AND PROVIDING FOR
THE APPOINTMENT OF A PARK AND
CEMETERY COMMISSIONER.

ADOPTED APRIL 4, 1872.

It is hereby ordained by the common council of the city of Marquette:

§ 496—SEC. 1. The burial grounds in the city of Marquette, lying north of the line of Bluff street, and west of Seventh street, formerly belonging to the township of Marquette, are hereby declared to be public burial grounds, and shall be known and designated as the "City Cemetery"; and the public grounds next adjoining the said cemetery on the south, and extending to Washington street, are hereby declared to be and shall remain a public park. "City cemetery" designated.
Washington street park.

§ 497—SEC. 2. All lots or plats in said cemetery heretofore sold for burial purposes, shall be and remain the property of the respective purchasers thereof or their legal representatives for such purposes only, but subject to such general regulations respecting the cemetery grounds as may be now or hereafter in force. Property in certain burial lots.

§ 498—SEC. 3. (Annulled by Charter 1895).

§ 499—SEC. 4. (Annulled by Charter 1895).

§ 500—SEC. 5. (Annulled by Charter 1895).

§ 501—SEC. 6. If any person shall bury or attempt to bury any dead body in any unsold lot in said cemetery, except in such spot or place therein as shall be designated and set apart by said [park and cemetery] commissioner for the burial of indigent persons, strangers, etc., or shall bury or attempt to bury any dead body in any lot belonging to another, without permission of the owner or owners thereof; or shall be found in said park or cemetery, discharging fire arms, hunting or trespassing in any other manner, or shall behave in a rude, disorderly or indecent manner therein; or shall injure, deface or destroy any tree, shrub, stone, stake, post, fence, monument, vault or other fixture, building or thing of value or ornament in the said park or cemetery, or trespass on any grave in the cemetery, he or they shall severally be subject to a fine of not less than ten dollars nor exceeding one hundred dollars; and the court or magistrate may in any aggravated case cause the offender to be imprisoned in the county jail for a period not exceeding ninety days in addition to the fine. Burials in unsold lots prohibited.
Unlawful burials.
Prohibited acts and conduct.
Penalty.

§ 502—SEC. 7. (Annulled by Charter 1895).

§ 503—SEC. 8. (Obsolete).

NUMBER 33.

AN ORDINANCE RELATIVE TO AUCTIONEERS.

ADOPTED MARCH 9, 1892.

It is hereby ordained by the common council of the city of Marquette:

Unlicensed
auctioneers
prohibited.

§ 504—SEC. 1. No person shall exercise the business of auctioneer, or sell or cry off at auction any goods, wares or personal property of any description within said city until first licensed as an auctioneer, and any person that shall assume the business of auctioneer, or sell or cry off at auction any goods, wares or merchandise within said city without being first duly licensed, shall be punished by a fine not less than five dollars nor more than one hundred dollars and costs of prosecution for each offense

Penalty.

License fee.

Bond to city.

Conditions of
bond.

§ 505—SEC. 2. Before any person shall receive such license for an auctioneer, he shall pay into the city treasury, for the benefit of said city, the sum of ten dollars; and he shall also execute a bond to the city of Marquette in the penalty of five hundred dollars, with one or more sufficient sureties, to be approved by the mayor or person acting as mayor, conditioned for the faithful discharge of his duties as such auctioneer, and to truly conform to the ordinances of said city relating to auctions and auctioneers, and pay all penalties which may be recovered against him for a violation of any ordinance of said city relating to auctions and auctioneers, and also to pay the said city one per cent on all sales made by him under such license.

Sales by
unlicensed
auctioneers
prohibited.

Manner of
conducting
business.

Penalty.

Means of
attracting
attention
prohibited.

§ 506—SEC. 3. No auctioneer shall employ any agent, clerk or other person to sell or cry off at auction, any goods, wares or merchandise within said city, unless such agent, clerk or other person shall at the time of such employment, be a duly licensed auctioneer of said city, nor shall any auctioneer by such agent, clerk or other person carry on or conduct two or more auction sales in said city at the same time; nor shall any such auction sale be conducted except in the immediate presence and under the personal supervision of such auctioneer, under a penalty of not less than five dollars nor more than fifty dollars and costs of prosecution for each offense.

Penalty.

§ 507—SEC. 4. No bellman or cryer, nor any drum or fife, or other instrument of music, nor any show, signal, or means of attaching the attention of passers by, other than a sign or flag, shall be employed, or suffered or permitted to be used, at or near any place of sale, or at or near any auction room, or at or near the residence of any auctioneer, or at or near auction whatsoever, under a penalty of not less than one dollar and not more than ten dollars and costs of prosecution for each offense, recoverable from the person using the same, and the auctioneer or his agent causing, suffering or permitting the same to be used severally and respectively.

§ 508—SEC. 5. If any person so licensed shall receive for sale by auction any goods or commodities from any minor or apprentice, knowing him to be such, or shall make use of, or suffer to be made use of, any deception or fraud in the sale of goods at auction or shall sell or suffer to be sold a quality of goods inferior to that represented at such sale, or shall deliver an inferior quality of goods as and for those sold at auction, he shall be subject to a fine of not less than five dollars or more than fifty dollars and costs of prosecution for each offense.

Not to sell
goods from
minors, etc.

Not to use
deception or
fraud.

Penalty.

§ 509—SEC. 6. Every auctioneer shall keep a fair and particular account of all goods and chattels sold by him, of the person from whom they were received, and of the prices at which the same are sold, and which shall be open to inspection of the mayor or the person discharging the duties of mayor, each member of the common council and city attorney, at all reasonable times when thereto requested, and any auctioneer violating any of the provisions of this section, shall be punished by a fine of not less than five dollars nor more than fifty dollars and costs of prosecution for each offense.

To keep
accounts,
how.

Inspection by
mayor, etc.

Penalty.

§ 510—SEC. 7. No auctioneer by himself, or agent, shall sell or expose for sale at auction any goods, wares or merchandise on any sidewalk, or in any street, lane, alley or public highway in said city unless by written permission from the mayor of said city in each case, under a penalty of not less than five dollars, nor more than fifty dollars and the costs of prosecution for each offense.

Where sales
prohibited.

Penalty.

§ 511—SEC. 8. Whenever any licensed auctioneer shall be convicted of any violation of any of the provisions of this ordinance; in addition to the penalty herein prescribed, such license may be revoked by the common council and the same be cancelled, and a note in writing indorsed on the record of such license signed by the mayor or person discharging the duties of mayor, briefly stating the order of revocation and the cause thereof, shall be deemed sufficient revocation and annulment of such license.

License may
be revoked,
when.

§ 512—SEC. 9. In default of the payment of any fine, penalty or forfeiture imposed by any of the provisions of this ordinance, together with the costs of prosecution, the offender may be sentenced to be imprisoned in the common jail of the county of Marquette, or jail or work house of said city until the payment of such fine and costs, for a period of not less than ten days nor more than ninety days.

Imprison-
ment in
default of
payment of
fine, etc.

NUMBER 34.

AN ORDINANCE RELATIVE TO HAWKERS AND PEDDLERS.

ADOPTED MARCH 8, 1892.

It is hereby ordained by the common council of the city of Marquette:

Unlicensed
peddling
prohibited.

§ 513—SEC. 1. No person shall follow the business or occupation of hawker or peddler, or engage in hawking or peddling within the limits of the city without a license from the recorder.

Recorder
may license.

§ 514—SEC. 2. The recorder is hereby authorized to license any person to follow the business of a hawker or peddler, and to sell goods by hawking and peddling upon his paying to the city treasurer the sum prescribed in the next section.

License fees.

§ 515—SEC. 3. Any person soliciting a license as a hawker or peddler shall pay to the city treasurer therefor as follows: For hawking and peddling while traveling on foot, the sum of \$2.00 for the first day, and \$1.00 for each subsequent day; for peddling from hand-carts and stands in the city streets, the sum of \$3.00 for the first day and \$1.50 for each subsequent day; for peddling with any conveyance drawn by one horse or other animal, \$5.00 for the first day and \$2.00 for each subsequent day; for peddling with any conveyance drawn by two or more horses or other animals, \$10.00 for the first day and \$5.00 for each subsequent day: *Provided*, That no license under this section shall be issued for a longer period than thirty days, and each renewal shall be deemed and considered a new license.

Term of
license.

Peddlers
vehicles to be
numbered.

§ 516—SEC. 4. Any person using any hand cart, wagon or other conveyance in peddling under the provisions of this ordinance shall have the number of his license placed in a conspicuous place on each side of said vehicle, securely fastened to such vehicle so as to be plainly seen; the figures of which shall be not less than two inches in height.

License to be
carried and
exhibited.

§ 517—SEC. 5. Every person obtaining a license as hawker or peddler shall at all times while conducting business as such, have and carry with him his said license, and shall upon the demand of the mayor or any city officer or citizen of said city, exhibit the same and permit inspection thereof.

Manner of
carrying on
business.

§ 518—SEC. 6. All peddlers while carrying on their business with hand-carts or vehicles shall keep the same in motion, except when stopping the same to make sales, upon application of any customer, when they shall draw up next to the curb, and remain there only so long as actually engaged with customers there present. No hawker or peddler or any other person shall shout or call aloud, or cry out his goods, wares or merchandise in any of the streets, avenues, alleys or public places of the

city, nor shall such peddlers or hawkers blow any horn, ring ^{Horns, bells, etc., prohibited.} any bell, or use any other similar device to attract attention within the limits of the city.

§ 519—SEC. 7. This ordinance shall not apply to the selling ^{Sales not requiring license.} or offering for sale of live-stock, vegetables, fruit, berries, milk, butter, eggs, fresh meat or fresh fish, wood, hay or other farm produce.

§ 520—SEC. 8. Any violation of any of the provisions of ^{Violations, how punished.} this ordinance shall be punished by a fine not exceeding one hundred dollars for each offense, or by imprisonment in the county jail for a period not exceeding ninety days, or both such fine and imprisonment in the discretion of the court.

§ 521—SEC. 9. All ordinances and parts of ordinances in- ^{Repeal.} consistent herewith are hereby repealed.

NUMBER 33.

AN ORDINANCE RELATIVE TO PUBLIC ENTERTAINMENTS.

ADOPTED MARCH 12, 1892.

It is hereby ordained by the common council of the city of Marquette:

§ 522—SEC. 1. No person or persons, company or companies, ^{Entertainments without license prohibited.} shall make or exhibit in the city any circus, managerie show, game or festival or other exhibition, or give any concert or musical entertainment or exhibit any natural or artificial curiosity or panorama, or give any public entertainment or amusement of any kind, for which pay is demanded or received without a license. And any person or persons giving any such entertainment without such license, shall forfeit and pay to said ^{Penalty.} city the amount hereinafter required to be paid as a license fee for any such entertainment, so given, in addition to the fine and costs hereinafter provided for a violation of any of the provisions of this ordinance: *Provided,* This ordinance shall not extend to any exhibition by the pupils of any private or public ^{When no license required.} schools or to any musical entertainment given by the members, and for the benefit of any resident musical society, or to any exhibition of painting, engraving, sculpture or fine art, executed by a citizen of Marquette, or to any concert or musical entertainment, fair, festival, or lecture for the benefit of any church or benevolent society of said city, or to any game of cricket, polo, la-crosse, base or foot ball, or to any exhibition of archery, or to any boat race, regatta, or military exhibition or entertainment of like character, given or managed by any association, club or company of said city.

Recorder to issue licenses.	§ 523—SEC. 2. The recorder is hereby authorized to grant licenses for the purpose aforesaid, subject to the payment to the city treasurer by the person making the application therefor, for the use of said city of such sum of money as the recorder may, in his discretion, in each particular case determine, according to the character of the entertainment, exhibition, show or performance, and the length of the time for which such license is required, which said license shall not be valid until the said sum shall have been paid, and the said license shall have been countersigned by the city treasurer: <i>Provided</i> , That not less than the following sums shall be fixed for any such license, nor more than twice said sums, viz:
License fees.	
Circus and menagerie.	(a) 1. For a circus, one hundred dollars for each day; for a menagerie ten dollars for the first entertainment and five dollars for each subsequent entertainment; for a circus and menagerie combined one hundred dollars for each day.
Museum, etc.	(b) 2. For a museum or a zoölogical garden, permanently located and established in the city, the sum of twenty dollars annually; no such license to be issued for a sum less than twenty dollars.
Merry-go-round, etc.	(c) 3. For a merry-go-round one dollar per day, and for a shooting gallery, skating rink, and for games and amusements of like character, the sum of five dollars per month, no license under this section to be issued for less than one month.
Curiosities.	(d) 4. For any exhibit of any natural or artificial curiosity, five dollars for the first day, and two dollars for each subsequent day.
Wrestling matches, etc.	(e) 5. For any pedestrian match, wrestling match, boxing match, shooting match or other contest of like character, five dollars for each day.
Other exhibitions.	(f) 6. For any public exhibit, show, entertainment or amusement not herein otherwise designated, and for which pay is demanded or received, five dollars for each entertainment.
Marquette opera house.	(g) <i>Provided</i> , That upon payment in advance into the city treasury of the sum of twenty-five dollars, quarter yearly, by the owner, lessee or manager of the Marquette Opera House, so called, on Washington street; and of twelve and one-half dollars quarter yearly, by the owner, lessee or manager of the Casino, so called on Main street, and of Fraternity Hall so called, on Front street, and other halls of like character and use, if the same be under lease; the sum so paid shall be in lieu of any other sum or sums of money required to be paid for a license for any performance, theatrical or otherwise, that may occur therein; no such license to be issued for a less sum than required for one quarter year.
Casino, Fraternity hall, etc.	
Acts and conduct not to be permitted.	§ 524—SEC. 3. No person or company receiving a license under this ordinance shall permit in or about his or their place of amusement or exhibition, any disorderly conduct, or the use of immoral, profane or indecent language, or permit the sale, giving away, delivering, drinking or use therein of any beer, wine, malt or intoxicating liquors or beverages of any descrip-

tion, or have connected with such place of amusement or exhibition by side entrance or otherwise, any bar, saloon or place where malt or intoxicating liquors are sold or given away; or permit such place of amusement or exhibition to become and be a place for the resort of thieves, prostitutes or other disorderly persons.

§ 525—SEC. 4. The recorder may refuse to issue licenses to the parties and for the purposes aforesaid, and the mayor may revoke any license already issued, for good and satisfactory reasons, which shall be reported to the common council in writing, by the officer so refusing or revoking any license, at its first session following such refusal or revocation; but any party aggrieved by the action of the recorder in refusing a license, or the mayor in revoking a license, may appeal to the common council, and upon due consideration by said council, the action of the mayor or recorder may be reversed, and the license be issued, or its revocation annulled, upon a two-thirds vote of all the aldermen elected.

Refusal and revocation of licenses.
Report of to council.
Council may reverse action.

§ 526—SEC. 5. Any violation of this ordinance shall be cause for revocation of any license issued, and shall be punished by a fine of not less than ten dollars, and not exceeding the sum of one hundred dollars, and the cost of prosecution or imprisonment in the county jail for a period not exceeding ninety days, or both, in the discretion of the court; and in the imposition of a fine only, the court may make a further sentence, that the offender be imprisoned until such fine be paid, but for a time not exceeding that provided herein.

Violation and penalties.

§ 527—SEC. 6. All ordinances and parts of ordinances inconsistent herewith, are hereby repealed.

Repeal.

NUMBER 36.

AN ORDINANCE RELATIVE TO POUNDS, POUNDMASTERS, AND RESTRAINING ANIMALS AND POULTRY, AND TO REPEAL ALL ORDINANCES, PARTS OF ORDINANCES AND AMENDMENTS THERETO PASSED BY THE COMMON COUNCIL OF THE CITY OF MARQUETTE RELATING TO POUNDS, POUNDMASTERS AND RESTRAINING ANIMALS AND POULTRY.

ADOPTED JUNE 12, 1893.

The City of Marquette ordains:

§ 528—SEC. 1. There shall be one or more public pounds in the city of Marquette, to be located in such place or places as may hereafter be or as has been heretofore designated by the

Pounds to be located by council.

Open entire year.	common council, and which shall be kept open during the entire year, for the reception of all poultry and animals taken as hereinafter provided.
Poundmasters, appointment, term, oath, bonds.	§ 529—SEC. 2. The common council shall appoint one or more poundmasters, who shall hold their office during the pleasure of the common council, who shall take and file the oath of office, and shall give bonds to the city in the sum of one hundred dollars, with one or more sureties, to be approved by the common council, conditioned to pay to the city treasurer all moneys that shall come into his hand as poundmaster; and such poundmaster shall receive for his services such sum as the common council shall decide.
Compensation.	§ 530—SEC. 3. No horse, ass, mule, sheep, swine, goat, cow, calf, neat-cattle, ox, bullock or other animal, and no geese or other domestic poultry shall run, or be permitted to run at large anywhere within the limits of the city of Marquette between the north line of Fair avenue indefinitely produced in either direction, and the south line of Hampton street indefinitely produced in either direction. And no animal or poultry excepting cows shall run or be permitted to run at large in any other portion of said city.
Animals not to run at large.	§ 531—SEC. 4. It is hereby made the duty of poundmasters, marshal, policemen and constables, and it shall be lawful for any other person above the age of twenty years, to take up and convey to one of the public pounds any animal or poultry which may be found running at large within such limits of the city as may be designated by the common council; and for such service the person performing it shall receive from the city treasurer the following compensation: For taking to pound any horse, ass, mule, swine, ox, or bullock, 75 cents a head; any cow or neat-cattle, 50 cents a head; any calf, sheep or goat, and for all other animals not especially herein provided for, 25 cents a head; and for any goose or other domestic poultry, 10 cents a head.
Who to take up and impound animals.	§ 532—SEC. 5. The poundmaster shall receive, keep and feed any animal or fowl which may be brought to the pound.
Fees therefor.	§ 533—SEC. 6. The poundmaster shall record, in a book to be kept for that purpose and which shall at all times be open for public inspection, the time when any animal or fowl was received, the name of the person bringing such animal or fowl to the pound, the date and the place where such animal or fowl was found, a description of the animal or fowl, the number of all animals or fowls redeemed or sold by him and a description of them, and to whom sold or by whom redeemed, and the amount received for each animal and fowl redeemed. He shall not pay any money to persons bringing any animal or fowl to the pound, but instead thereof shall give a certificate to such person to the city controller, containing the name of the finder, the amount due, a description of the animal or fowl, and the place where found. The person to whom said certificate is given shall thereupon make affidavit before the controller, that
Poundmaster to keep and feed.	
Poundmaster's record.	
Record to show what.	
Certificate.	

the facts set forth in said certificate are true, and thereupon the controller may approve and allow the same, and report the same to the common council. Fees, how collected.

§ 534—SEC. 7. The records and books prescribed in section six to be kept by the poundmaster shall be evidence of all sales and all other matters contained therein. Record evidence.

§ 535—SEC. 8. The poundmaster shall, at the public pounds, sell at public auction any horse, ass, mule, sheep, swine, goat, cow, calf, neat-cattle, ox, bullock and all other animals and any and all geese and other domestic fowls which have been impounded therein for a period of six days, and are unclaimed, or whose owners neglect or refuse to pay the fees hereinafter provided. At least three days prior to such sale, notice of such sale shall be served by the poundmaster upon the owner of such animal or fowl, where the owner is known to the poundmaster, and such notice shall contain a description as near as may be of the animal or fowl to be sold, and shall mention the time and place where such sale shall take place. At least three days prior to any such sale as is herein provided for of animals and fowls empounded, the poundmaster shall cause notices of such sale, containing description as near as may be of the animals and fowls to be sold and also designating the time and place where such sale will take place, to be posted in conspicuous positions in the three following places, to-wit: At the county court house, the pound where such sale is to be held, and at the office of the city recorder. *Provided*, That if any animal or fowl shall have been empounded which is worthless and ought not to be retained in the pound, the poundmaster, upon the order of the controller and the chairman of the committee on pounds, may summarily dispose of such animal or fowl. The poundmaster shall promptly report every such disposition to the common council. Sales of animals. Notice to owner. Notice of sale to be posted. Disposition of worthless animals.

§ 536—SEC. 9. The proceeds arising from the sale of any animal or fowl, and all fees received by the poundmaster, shall, on Monday of each week be paid into the city treasury, and a receipt taken for the same. After deducting all lawful fees and costs, the money paid into the city treasury for the sale of any animal or fowl, shall be delivered to the former owner of such animal or fowl on satisfactory proof to the controller that he or she was such owner; and the controller is hereby authorized, upon such proof of ownership being made to him, to draw an order on the city treasurer in favor of such former owner of animals or fowls impounded and sold, for the proper amount, and such order shall be approved by the common council as in the case of other claims against the city: *Provided*, That all money deposited in the treasury as aforesaid, which may remain unclaimed for the period of one year, shall be transferred and credited by the treasurer to the general fund. Moneys to be paid in weekly. Surplus on sales to be paid owner. When unclaimed.

§ 537—SEC. 10. The poundmaster shall on Monday of each week make a report to the city controller, certified to by the affidavit of said poundmaster, of all animals and fowls impounded Weekly reports on oath of poundmasters.

during the preceding week, by whom they were brought to the pound, where they were found, the number redeemed and the number sold, the number remaining in the pound, the amount of money received for each animal or fowl redeemed or sold, together with the receipt from the city treasurer of the amount of money paid into the treasurer's office by said poundmaster; and the controller shall thereupon file and keep the same in his office.

Controller to furnish books, purchase sustenance, etc.

Report.

Fees of poundmasters.

§ 538—SEC. 11. The controller shall furnish the poundmaster with all necessary books and papers, and shall purchase all necessary supplies for the sustenance of all animals and fowls impounded; and he shall examine the books of the poundmaster once in each month and report the same to the common council.

§ 539—SEC. 12. Poundmasters shall demand and receive the following fees for the benefit of the city of Marquette; for receiving and discharging or selling any horse, ass, mule, ox, bullock, cow, swine, neat-cattle or other animal, one dollar; for receiving and discharging or selling any calf, sheep or goat, seventy-five cents; for receiving or discharging or selling any goose or other domestic fowl, ten cents; for keeping and feeding any horse, ass, mule, cow, ox, bullock, swine or neat-cattle, one dollar for each day or part of day; for keeping and feeding any sheep, goat, calf or any other animal not otherwise herein enumerated, twenty-five cents a day or part of day; for keeping and feeding any goose or other domestic fowl, ten cents a day or part of day: *Provided*, When any animal or fowl is redeemed within six hours after being impounded, the poundmaster shall not demand or receive compensation for keeping or feeding.

Redemption by owners.

Further fees and charges.

§ 540—SEC. 13. The owner of any animal or fowl which has been impounded may, at any time before the sale of such animal or fowl, redeem the same upon payment to the poundmaster of the fees provided for in section twelve of this ordinance: *Provided*, When notices of the sale of any impounded animal have been served on the owner or have been posted as provided for in section eight of this ordinance, the poundmaster shall demand and receive, in addition to the fees provided for in section twelve, the sum of one dollar; and whenever any impounded animal is sold, there shall be collected by the poundmaster from the proceeds of such sale, for the benefit of the city of Marquette, the sum of one dollar in addition to the fees provided for in section twelve.

Not to receive certain animals.

§ 541—SEC. 14. In no case shall the poundmaster receive any animal or fowl brought to the pound that was found outside the limits designated by the common council, except in cases where private damages were sustained.*

Delivery of animals only on payment.

§ 542—SEC. 15. In no case shall the poundmaster deliver to any person any animal or fowl lawfully impounded before receiving the established fees, except by order of the common council.

* NOTE. See general law for such cases, printed in this volume.

§ 543—SEC. 16. Each poundmaster shall place a sign in a conspicuous place at the entrance to the pound with his name and the number and street of his residence thereon. [See § 554.] Address sign.

§ 544—SEC. 17. No person shall hinder, delay or interfere with any one who is driving or carrying any animal or fowl to the public pound. Interference prohibited.

§ 545—SEC. 18. No person shall break, or attempt to break, or assist in breaking into any pound. Pound breaking.

§ 546—SEC. 19. No person shall take up, drive or carry to the public pound any animal or fowl not legally liable to be impounded therein. Wrongful taking up.

§ 547—SEC. 20. Poundmasters shall possess and exercise the powers and duties of policemen for the preservation of the public peace. Police powers of poundmasters.

§ 548—SEC. 21. The poundmasters shall not receive any other compensation than that herein provided. They may be removed at any time by the common council. Compensation and removal.

§ 549—SEC. 22. If any animal or fowl that may have been lawfully impounded shall escape or be rescued, any poundmaster, policeman or constable may, within seven days thereafter, retake such animal or fowl, and the same may be held and sold as if no escape or rescue had taken place. Escaped and rescued animals to be re-taken.

§ 550—SEC. 23. Whenever any animal or fowl sold under the provisions of this ordinance shall not bring enough to pay the lawful charges against such animal or fowl, the deficiency may be recovered from the owner of such animal or fowl by suit in the name of the city, prosecuted by the poundmaster, and when recovered shall be disposed of as hereinbefore provided as to the proceeds of sales of impounded animals and fowls. Deficiency on sale recoverable.

§ 551—SEC. 24. All complaints against poundmasters shall be in writing and be investigated by the committee on pounds, and the result of the investigation shall be by that committee be reported to the common council, which shall take such action as the facts warrant. Complaints against poundmasters.

§ 552—SEC. 25. Any violation of the provisions of this ordinance shall be punished by a fine not to exceed fifty dollars and costs, or imprisonment in the county jail or in the jail of the city of Marquette for a term not exceeding two months, or both such fine and imprisonment in the discretion of the court before whom such conviction is had. Violations, how punishable.

§ 553—SEC. 26. An ordinance adopted June 1, 1871, (eighteen hundred and seventy-one) entitled "An ordinance relative to a pound, poundmaster and restraining animals" and all amendments thereto and all ordinances and parts of ordinances repugnant to or contravening any of the provisions of this ordinance are hereby repealed: *Provided*, That all poundmasters heretofore appointed by the mayor and common council shall hold office for the time for which they were appointed unless sooner removed. Repeal.

§ 554—SEC. 27. Poundmasters shall have their office in the same room occupied by the city recorder and shall therein keep Office to be with recorder.

all books, records and papers pertaining to their office and these shall at all times be open to public inspection. In the absence of the poundmaster from his office, it shall be the duty of the recorder, and the recorder is hereby given full authority to deliver to the owner any and all animals and domestic fowls impounded in any pound in the city, on payment of the established fees. The poundmaster shall conspicuously post at the entrance to each pound a notice designating the locality of his office.

When recorder to act.

Notice of locality of office.

NOTE. See Act No. 248, Laws of 1879, to prevent animals from running at large, in cities and villages of over 7,000 inhabitants; printed in this volume.

NUMBER 37.

AN ORDINANCE PROVIDING THE MANNER OF VOTING UPON ANY QUESTION OF BORROWING MONEY AND THE HOLDING OF ELECTIONS THEREON.

ADOPTED JULY 6, 1897.

The City of Marquette ordains:

Registration. § 555—SEC. 1. Whenever any question of authorizing the raising of money by loan upon bonds to be issued upon the credit of the city has been ordered to be submitted to the qualified electors of the city at any annual or special election, it shall be the duty of the boards of registration of the several wards on the weekday next preceding any such election to meet from 8 o'clock a. m. to 8 o'clock p. m. at such places therein as may have been designated by the common council, for the purpose of completing the list of electors qualified to vote at such election; and the registers of electors of said wards shall be delivered to said boards for that purpose and such registration shall be conducted in the same manner as the registers of electors prior to elections for city officers, and said registers shall be returned forthwith to the recorder.

When boards to meet.

§ 556—SEC. 2. The recorder shall give notice of such election as required by the charter of the city; which notice shall contain a copy of the form of the question to be submitted as the same shall have been adopted for use upon the ballots to be provided for such election; which notice shall also state the places designated for holding such registration and election, and contain an announcement of such meeting of the boards of registration.

Notice of election.

§ 557—SEC. 3. On the day appointed for such election the polls in the several wards shall be open and remain open such hours as may be required by law for city elections, and such

Election, how conducted.

election, except as herein otherwise directed, shall be conducted in all respects as near as may be in such manner as is or may be provided by law for elections for city officers.

§ 558—SEC. 4. Such elections shall be by printed ballot; the question to be voted on to be thereon stated in such form as may be prescribed, and to the right of such question on said ballot shall be printed the word "Yes" and the word "No", with squares for making, in the following manner:

Form of question to be voted on	{ Yes. <input type="checkbox"/>	Form of question.
	{ No. <input type="checkbox"/>	

§ 559—SEC. 5. It shall be the duty of the board of election commissioners of the city to prepare and furnish the ballots for such election and appliances for marking the same in the same manner as for other elections, with the following heading and instructions placed at the head of such ballot, followed by the question to be voted on; to-wit:

OFFICIAL BALLOT. PREPARED BY AUTHORITY.	Form of ballot.
---	-----------------

INSTRUCTIONS.

If you wish to vote in favor of authorizing the raising of the loan mentioned in the question below, and the issue of bonds therefor on the credit of the city, mark an "X" in the square following the word "Yes" opposite such question on the ballot:

If you wish to vote against authorizing such loan and the issue of bonds, mark an "X" in the square following the word "No" opposite such question on the ballot:

Before leaving the booth fold the ballot so that the initials of the inspector may be seen on the outside.

QUESTION TO BE VOTED ON:

Form of question to be voted on	{ Yes. <input type="checkbox"/>
	{ No. <input type="checkbox"/>

And said board shall also furnish to the inspectors of election of each ward not less than twenty-five instruction ballots; two of which shall be hung in each polling room and three on the outside of each building in which the voting takes place.

§ 560—SEC. 6. The recorder shall furnish to the boards of registration and the election inspectors, at the expense of the city, all necessary ballot boxes, poll lists, tally sheets stationery and blank forms for oaths of election officers and certificates of the votes cast.

§ 561—SEC. 7. The votes cast at such election shall be canvassed and returns made as provided by law.

NUMBER 38.

AN ORDINANCE ACCEPTING THE MARQUETTE MONUMENT, AND PROVIDING FOR ITS PRESERVATION.

ADOPTED JULY 15, 1897.

Preamble.

Whereas, Peter White, John M. Longyear, Nathan M. Kaufman, Edward N. Breitung, Ellen S. White, Mary B. Longyear, Charlotte Breitung, John Vertin, G. Mott Williams, the Society St. Jean Baptiste and numerous other citizens co-operating with them, have erected and donated to the city a beautiful and appropriate monument to the memory of him whose unselfish devotion to humanity, ardent zeal and heroic deeds contributed to light the lamp of civilization upon these shores where now the people, in their organic capacity, proudly bear his name:

The City of Marquette Ordains:

Acceptance.

§ 562—SEC. 1. The people comprising this municipality hereby acknowledge their high appreciation of the public spirit of the donors; they officially and gratefully accept this magnificent gift to the public; they assume the guardianship of this beautiful and enduring conception by Gaetano Trentanove, of him whose patronymic these people bear, JACQUES MARQUETTE. In order therefore, that said monument may be preserved to commemorate to posterity the life and deeds of one who gave so much to make it possible for us and our successors to here enjoy the blessings of modern civilization, it is further ordained:

Destruction of monument etc., prohibited.

§ 563—SEC. 2. No person shall destroy, injure or deface in any manner the said monument, the statue of Marquette, its base, tablets or inscriptions, or any fence, turf, tree, shrub, plant, flower or other thing placed or kept for use or ornament in connection with said monument or the premises reserved or used therefor; nor shall any person attempt to destroy or injure or deface the same or any part thereof.

Violation, how punished,

§ 564—SEC. 3. Any person violating any of the provisions of this ordinance shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city lock-up or county jail for a period not exceeding ninety days; or by both such fine and imprisonment, in the discretion of the court before which any conviction shall be had.

A RESOLUTION RELATIVE TO DELINQUENT PERSONAL TAXES.

ADOPTED MARCH 7, 1898.

Preamble.

Whereas, There are standing charged on the books of the city against the city treasurer many delinquent personal taxes, most



BRONZE STATUE OF
JACQUES MARQUETTE,
ERECTED JULY 15TH, 1897.

of which are considered uncollectable, and such taxes are likely to accumulate in future, and

Whereas, It is deemed desirable that all such delinquent taxes Uncollected taxes. as may be considered uncollectable shall not be carried upon the books of the city as charges against the treasurer, but as charges against the persons and property liable to pay the same:

§ 565. *Resolved*, That whenever the city treasurer shall file Treasurer to file statement with controller. with the controller a certificate that any personal taxes, interest and charges remaining uncollected for one year after the first day of March following the levy of such taxes are uncollectable for want of property on which to levy, the controller shall credit the treasurer therewith and enter the same in an account Credit given treasurer. to be kept by him in a separate book entitled "Delinquent Personal Taxes," as charges against the persons and property assessed for such taxes; and the treasurer shall note on the proper delinquent personal tax lists in his hands the fact of the entry of such taxes in said delinquent personal tax account; and: Treasurer to make entries. *Provided*, That said taxes and the interest and charges thereon shall remain as claims against the persons and property assessed and shall be collected by the treasurer or otherwise, the same as though such credit and entry in such account had not been made: Taxes to be collected and reported. *And provided*, That the treasurer shall forthwith report to the controller the collection by him of any such taxes thereafter, and the controller shall charge the treasurer and credit said account therewith.

THE REMITTING OF SPECIAL ASSESSMENTS.

On Oct. 4, 1897, the common council adopted the following report of the committee on finance and taxation:

"Your committee respectfully report that upon a careful examination of the equities involved in the matter of special assessment taxes, they recommend that the policy be adopted by the common council of refusing to rebate or remit special assessments which benefit the property, such as street improvements, sidewalks and sewers. Such assessments are levied upon the theory that the money expended is a direct benefit to the property assessed, and where benefits of this character are conferred by the public, there can be no good reason for relieving individuals from their payment.

"We are asked in a number of cases to remit such assessments upon property owned by very aged people, and should such assessments be remitted, it would in effect directly benefit the heirs of such persons upon their death, and such heirs, we think, can very well afford to raise the amount required to pay the assessments to preserve the property from sale."

SEWERAGE.

THE DAVIS SEWER SPECIFICATIONS.

PREPARED BY

CHESTER B. DAVIS, CONSULTING ENGINEER.

ADOPTED BY THE COMMON COUNCIL OCTOBER 1, 1887.

GENERAL SPECIFICATIONS AND CONDITIONS OF AGREEMENT.

Sec. 566—(1). INTENTION. It is intended that these specifications, and each contract and specification shall cover the completion of the work to which it relates.

Sec. 567—(2). CITY. By the term city is meant the City Council of Marquette, Mich., or the commission appointed by said council to the general charge of the work of sewerage construction.

Sec. 568—(3). ENGINEER. Whenever the word "Engineer" is used herein, it shall be understood to refer to the engineer appointed by the city to the charge of this work and to his authorized assistants limited by the particular duties intrusted to them.

Sec. 569—(4). CONTRACTOR. Whenever the word "Contractor" is used herein it shall be understood to refer to the party or parties contracting to perform the work to be done under these general and detail specifications, or to the legal representative of such party or parties.

Sec. 570—(5). MATERIAL, LABOR, ETC. The contractor is to furnish at his own cost and expense all transportation, plant, tools, labor, materials (except such materials as are distinctly specified that the city shall furnish), and all else requisite to execute and complete the work in the best possible and most expeditious manner, and according to the drawings and specifications. He shall employ only competent foreman and experienced mechanics and laborers, and shall discharge immediately, whenever required to do so by the engineer, any man considered by the engineer as incompetent or disposed to be disorderly; and shall not again employ such person on the work. Preference must be given in the employment of

laborers and others to residents of Marquette.

Sec. 571—(6). INSPECTION. All materials furnished and work done will be inspected by the engineer, and if not in accordance with these specifications and the contract, they will be rejected and shall be immediately removed and other work done and materials furnished in accordance therewith. If the contractor refuses to remove the work and materials as above, when ordered, then the engineer shall have the right and authority to stop the contractor and his work at once, and to supply men and materials to remove and correct the faulty work and materials at the cost and expense of the contractor, such expense to be deducted from any moneys then due, or to become due, to the contractor from the city. The contractor shall furnish all necessary facilities, should it be advisable to make any examination of the work already completed. If any be found defective in any respect, he shall defray the expenses of such examination and of satisfactory re-construction.

If all be found satisfactory, such expense will be paid by the city. The engineer shall have the right to reject, at any time previous to the final settlement with the contractor, any work or materials which may be found to be faulty.

Sec. 572—(7). TIME. The successful bidder must sign the contract for the work to be done by him, within six (6) days after the contract is awarded to him, and must begin work at any time fixed by the engineer for him to begin, after ten (10) days from the date of awarding the contract. He shall proceed with the work, prosecuting it with due diligence

from day to day, at such time, in such places and with such force as the engineer may, from time to time, direct during the progress of the work, and there must be done during each month allotted for doing the work, not less a portion of the whole work than one month is of the whole time, and he must complete the work at or before the time fixed for completing it.

Sec. 573—(8). **INSTRUCTIONS.** The contractor, in the performance of his work, must follow strictly and without delay all instructions and orders given by the engineer. In the event of the contractor's absence from the work, he must leave it in charge of a duly authorized representative to whom orders and instructions may be given. If he fails to do this, then the contractor will be held responsible for the proper carrying out of such orders and instructions as it may be necessary for the engineer to give to any superintendent, foreman, or other person employed about the work.

Sec. 574—(9). **RESPONSIBILITY.** The contractor will have charge of, and be responsible for, the entire work until completed and accepted by the city, and until the contractor is formally released from his obligations. He is required not to assign or sublet his contract without written permission from the city upon the recommendation of the engineer, but must keep it under his control until completed and accepted, and in case of his absence from the works, must have a duly qualified person to take charge of them.

This section is not to be construed to prevent the city from entering upon the use of the whole or any portion of the work which may be in condition to use at any time previous to its final acceptance, and such is not to be taken as an acceptance by the city of the whole or any part of the work performed under this contract.

Sec. 575—(10). **DELAYS.** No charge made by the contractor for any delays or hindrance from any cause during the progress of any portion of the work embraced in his contract will be allowed. If the delay be caused by any act or neglect of the city, then he will be entitled to an extension of the time allowed for the completion of the work, sufficient to compensate for the delay, to be determined by the engineer, provided the contractor shall give the engineer immediate notice of the cause in writing. If the contractor fails to complete the work at the date specified, he shall forfeit to the city, as liquidated damages, the sum of twenty-five (25) dollars per day for each

and every day which the completion of each portion of the work embraced in his contract is delayed beyond the time fixed by the contract.

Sec. 576—(11). **CLEARING UP.** Before the work will be considered complete all rubbish and unused material due to, or connected with the construction must be removed and the premises left in a condition satisfactory to the engineer. All sidewalks and crosswalks must be cleared up; and streets, curbs, crosswalks, pavements, sidewalks, fences and other private and public property disturbed or damaged, must be restored to their former condition, and final payment will be withheld until such work is finished.

Sec. 577—(12). **DISAGREEMENT.** Should any disagreement or differences arise as to the true meanings of the drawings or specifications in any point, the decision of the consulting engineer shall be final and conclusive and binding to all parties to the contract.

Sec. 578—(13). **CHANGING AMOUNT OF WORK.** The city reserves the right to increase or decrease the amount of work or any part thereof to the amount found necessary. No allowance will be made in case of increase for any real or supposed damage, or loss of profit occasioned by such diminution. The time fixed for the completion of the work will be proportionately increased or diminished.

Sec. 579—(14). **WEATHER.** During unsuitable weather all work must stop when such work would be liable to be injured, and it must be suitably protected from such possible injury.

Sec. 580—(15). **EXTRA WORK.** No extra work will be paid for or allowed unless the same was done upon the written order of the engineer. Subject to this condition, extra work will be paid for according to the schedule of price bid. In the case of work not included in the schedule, ten per cent advance upon the actual cost as determined by the engineer, will be paid to the contractor. All claims for extra work must be made to the engineer in writing, before the payment of the next succeeding estimate after the work shall have been performed and failing to do this, the contractor shall be considered as having abandoned his claim.

Sec. 581—(16). **LAWS.** All city, county, or state laws, ordinances, or regulations limiting or controlling the action or operations of those engaged upon the work, or affecting the materials applied to them, must be respected and attended to.

Sec. 582—(17). **CLAIMS.** Before final settlement will be made, the contractor

must furnish to the city satisfactory evidence that all persons who have been employed upon the work, or who have furnished materials for the work under his contract and according to these specifications, and who may have been entitled to a lien, have been fully settled with and are no longer entitled to a lien. In case such evidence is not furnished, then the city may retain from all moneys due to the contractors, and in its possession, such an amount as may be deemed necessary to meet all lawful claims, due to the above mentioned parties until such claims are fully discharged and the evidence thereof furnished.

Sec. 583—(18). **DAMAGES.** The contractor will be required by his contract to preserve the city harmless from all claims for damages, from any and all causes and natures whatever in connection with his work or any part thereof, and also to act as defendant in each and every suit of any kind and nature which may be brought against the city by reason of work done under his contract.

Sec. 584—(19). **ABANDONMENT.** If the contractor shall abandon his work under this contract, or if at any time the engineer shall be of the opinion and shall so certify to the city that the work or any part thereof is unnecessarily delayed, or that the contractor is wilfully violating any of the conditions of the contract or executing the same in bad faith, then at the option of the city the contract may be declared null and void, the security may be forfeited, and the materials delivered at and built into the work shall be the property of the city. The city may then at its option proceed to complete the works either by day's work or by contract, and any and all damages and increased costs of the work to the city will be deducted from the funds retained by the city, and from any sum realized from the value of the materials reverting to the city.

Sec. 585—(20). **ESTIMATES.** Unless otherwise provided for in the detail specifications, the engineer, during the first week of each month, will make an approximate estimate of the value of the work completed and materials delivered and the contractor will be paid the amount due him under his contract on or before the tenth (10) of the month. A final estimate of all the work done and materials delivered according to the contract and these specifications will be made immediately after the engineer has satisfied himself that the work has been and is finally and fully completed in strict accordance with the contract and specifica-

tions, and the contractor will be paid as hereinafter provided.

Sec. 586—(21). **PLANS AND SPECIFICATIONS.** The contractor will be furnished with one set of drawings, prints or tracings, and a set of specifications, giving all the details and dimensions necessary for carrying out the work. Dimensions given in figures will have the preference over the scale where there is any discrepancy. If the contractor does not fully understand the plans or specifications, or is in doubt as to the engineer's ideas or intentions concerning any part or portion of the work, he must satisfy himself concerning it by inquiry of the engineer before bidding, for he will be held rigidly to the engineer's interpretation of the plans after the contract is drawn. The plans and specifications are intended as complete, but should anything be omitted accidentally from the plans and specifications which is necessary to complete the work in accordance with the apparent intention of the engineer, it will be supplied by the contractor and at no extra cost to the city. Any work done by the contractor which is strictly extra work will be settled for as provided above. All materials, lines, and grades must be in full accordance with the plans, and no deviation from the plans and specifications will be allowed, except by written authority of the engineer.

The copy of the plans and specifications furnished the contractor must be kept constantly at work, must be well cared for, and returned to the engineer when the work is completed. The engineer will stake out all the work and set all grade-stakes, bench-marks, etc., set or established along the line of the work until authorized to remove them. If moved by carelessness or without authority, they will be set, if needed, at the expense of the contractor.

Sec. 587—(22). **SECURITY.** Each bidder will be required to deposit with bids certified check for three per cent of the gross amount of his bid—said amount to be not less than five hundred dollars, or cash of the same amount, as a guarantee that he will enter into a contract with the city, to do the work according to the plans and specifications, and for the amount of his bid. The check or cash will be forfeited if he fail to enter into such contract, if the work be awarded to him. The deposit will be retained and placed to the credit of the successful bidder.

The security for the proper performance of the work, and the completion of the contract will be ten per cent of the total

contract price, or at the option of the city, a penal bond with two good and sufficient sureties, acceptable to the city. No payments will be made on the contract until this amount, namely, ten per cent, including the amount deposited above has been placed to the credit of the contractor in accordance with the engineer's estimates, and this amount will be retained until the final settlement of the contract. After the completion and before the acceptance of the work the contractor will be required to give bond for the maintenance of the work as specified.

Sec. 588—(23). **PAYMENTS.** On or before the tenth of each month the contractor will be paid the balance due him as shown by the engineer's estimates after deducting ten per cent of the total amount of his contract, also all previous payments and all charges against him. The final payment will be made within sixty days after the formal acceptance of the work by the engineer and the city. If a penal bond be accepted as security then the monthly payments will be eighty per cent of the engineer's estimates.

Partial payments made upon the engineer's estimates, either monthly or otherwise, shall not be construed as a final or partial acceptance of any portion of the

work or as relieving the contractor in any way from the responsibility herein contemplated. Payment will be made by deposit to the credit of the contractor in a national bank in the city of Marquette, Mich.

Sec. 589—(24). **PROPOSALS.** Proposals must be enclosed in sealed envelopes and each must have written on it plainly the word "Proposal" and a statement also of the portion of the work for which it is a proposal. No proposals will be received after the limiting time fixed for receiving proposals, and no bidder will be allowed to withdraw his proposal after it has been opened and read, except in the event of a failure to award contracts for the work within thirty days after the time of opening the proposals.

Sec. 590. **SPECIFICATIONS.** All work must be done in strict accordance with the above general specifications, and also in strict accordance with the detail specifications under their appropriate headings, and the general and detail specifications will be attached to and made a part of the contract to which the detail specifications relate.

The right is reserved to reject any and all bids.

DETAIL SPECIFICATIONS.

MATERIALS.

Sec. 591—(a). **VITRIFIED STONEWARE SEWER-PIPE AND SPECIALS.** The pipe-sewers will be composed of straight sections, which are herein termed "pipe" and which will be in two and three feet lengths, and also of branches, bends, reducers, etc., which will herein be called "specials."

Sec. 592. The pipe and specials forming the main sewer, branches, laterals, and lot connections, shall be of the best quality of salt-glazed, vitrified stoneware sewerpipe.

Sec. 593. They must be carefully selected and examined by the contractor before being delivered at the work. All materials used in the work must conform to the following requirements, and all rejected pipe and specials must be plainly marked and stored or removed.

Sec. 594. The hubs or sockets must be of sufficient diameter to leave an annular space of not less than three-sixteenths of an inch all around for the cement joints, and such as to admit to their full depth the spigot end of the next following pipe or special without chipping either.

Sec. 595. All blisters, lumps, and other

irregularities and variations from a truly straight and smooth surface on the inside of the pipe and specials will cause their rejection if they are of such size as to cause any appreciable resistance to the flow of the sewage or tend to catch floating solids. The pipe need not be rejected if these irregularities or rough places are slight and are all on one side of the pipe so that it may be laid with them at the top and such that they do not extend more than one-eighth the circumference either way from the extreme top.

Sec. 596. Lumps or broken blisters on the outside of the pipe will not cause the pipe to be rejected unless it cannot be laid properly with the blister at the top, and except where the depth of the blister is one-quarter of the normal thickness of the pipe, the length over four inches and the width more than one-tenth the circumference of the pipe. When the pipe must be laid so that the blister comes at the bottom, they must not exceed one-half of the limiting size and depth for those allowable for the top of the pipe.

Sec. 597. No pipe having a piece broken from the hub which is more than one inch wide will be used unless such pipe can be

properly laid with the broken part on the top, and in this event the width of the break must not exceed one-twelfth the circumference of the pipe.

Sec. 598. Any pipe or special having more than two longitudinal firecracks, or having two at either end, or having more than one transverse fire-crack, or having one crack caused by any other than the process of burning, shall be rejected.

Sec. 599. No longitudinal fire-crack over one and a half inches long and no fire crack extending entirely through the pipe or specials, or over four inches long extending half way through, or over seven inches long extending one-quarter way through, nor any transverse crack longer than one-tenth of the circumference will be considered admissible, and pipe or specials with cracks exceeding these limits or being more than one-eighth of an inch wide will be rejected. In case of uncertainty concerning cracks not covered by the above specifications, the decision of the engineer in charge must be obtained.

Sec. 600. Fully sixty per cent of all pipes and specials larger than ten inches in diameter must be substantially circular in cross-section, and of those less than twelve inches in diameter not less than seventy per cent must be substantially circular in cross-section. Of the remainder, the allowable divergence from a truly circular cross-section shall never increase or decrease the proper diameter more than five per cent, and all having flat places, angles, or sharp curves of any magnitude, will be rejected.

Sec. 601. Pipes and specials poorly burned or partially vitrified; those made of improper materials and by improper methods; those which in their length, when intended for straight pipe, deviate more than one-quarter of an inch from a straight line, or having any palpable defect other than those enumerated above, will be rejected.

Sec. 602. The amount of pipe and specials having the imperfections noted above which will be accepted is left to the discretion of the engineer.

Sec. 603—(b). BRICK. All brick used in the work must be of an acceptable quality and hard burned sewer brick. There may be two grades, as follows: Those of the first which will be known as first quality and must be carefully selected whole brick. They must be uniform in size, the greatest variation allowable in any dimension being one-eighth of one inch; must be of good shape and free from swell and warp, the maximum deviation from any plane surface being one-eighth of one inch; must be

homogeneous in texture and free from lime and gravel; must be tough and made from well-tempered clay; must be well and thoroughly burned; must be free from all drying or fire cracks over one-quarter inch deep, three inches long or one-sixteenth inch wide; must ring sharply when two are struck together. They must have a reasonably smooth surface.

Sec. 604. Those of the second grade or second quality brick may be the best left after selecting the first grade; the maximum variation in dimension allowable is three-sixteenths inch; maximum swell or warp allowable is three-sixteenths of an inch; maximum fire or drying cracks allowable must not exceed in width three-sixteenths inch; length four inches; depth, one-half inch. They must be hard-burned, homogeneous, well-tempered and well-burned whole brick and free from lime and no soft or poorly burned, brittle brick will be accepted.

Sec. 605—(c). STONE. All stones used in the work must be of a homogeneous, fine-grained, hard limestone or sand stone, free from seams, cracks, lamination, and from pyrites, and other foreign substances, and must be of such nature that it will stand the action of frost and water. It must be of the dimensions called for by the drawings and required by the general and detail specifications. All stone must be laid on their natural bed.

Sec. 606—(d). CEMENT. American Hydraulic and Saylor's American Portland Cement or Imported Portland Cement will be used and each must be fully equal to the best of its kind and class. All cement must be freshly made, finely ground and of standard make, and must be acceptable to the engineer who will inspect and test it and reject any which is inferior in quality or unsuitable for the work. It must be kept well protected. All rejected cement must be removed immediately from the store-house and from the vicinity of the works. The city reserves the right to purchase at the lowest market price such cement as may be required in the work and to furnish the same at the expense of the contractor if he fails to provide suitable cement.

Sec. 607—(e). SAND. All sand used in the work must be clean, fine, sharp bank sand, and must be screened when desired by the engineer. All proportions of sand specified must be determined by actual measurement.

Sec. 608—(f). MORTAR. All mortar used for joints of vitrified pipe and the inside ring and lower half of brick sewers must be made by mixing when dry

one part Saylor's or imported Portland cement, as specified with three parts of sand. When thoroughly mixed, enough water must be added to produce the proper consistency.

Sec. 609. The mortar to be used in laying the brick-work of sewers and appurtenances other than above may be formed of one part American hydraulic cement and two parts of clean, sharp sand, free from gravel and clay, well mixed when dry; or one part Saylor's or English Portland cement mixed with four parts sand with water added to make it of proper consistency.

Sec. 610. All proportions of sand and cement must be carefully measured before mixing. Mortar must be mixed only in such quantities as can be used before any signs of setting occur, and any which shows signs of setting must not be used.

Sec. 611—(g). CONCRETE. All concrete used will be formed of one part Portland cement as specified, with three parts clean, sharp bank sand and the whole thoroughly incorporated by careful mixing while dry. The least amount of water needed to form a mortar will be used. This will then be thoroughly mixed with three parts clean, coarse bank gravel, or fine broken stone or broken hard brick ac-

ceptable to the engineer. The concrete must be made as dry as possible and of such consistency that the mortar will just flush the surface when completely tamped. All mixing must be done in boxes or on a tight board floor. Concrete must be placed in layers not over eight inches thick and the whole must be well tamped. All parts must be carefully measured. The brick or stone used must be thoroughly wetted before being used.

Sec. 612—(h). IRON-WORK. All cast-iron used in and built into the work must be of good quality strong gray iron, sound and homogeneous and well-coated by dipping in asphaltum and coal tar mixture. All wrought iron used must be of good quality refined merchant iron. All forging must be well and properly done and the whole must be thoroughly and properly coated with asphaltum. All iron work must be of the form, dimensions and weight shown or specified.

Sec. 613—(i). LUMBER. All lumber furnished to be built into the work permanently, must be of pine, unless otherwise specified, and sound and of good quality, free from large knots, shakes, dry rot, objectionable cracks, and other defects which would injure its strength or durability.

CONSTRUCTION.

Sec. 614. EXCAVATION. The price paid for "excavation" will include and the term "excavation" will mean and cover, the whole cost and work of excavating the trenches and re-filling them with earth, restoring the street, walks, curbs, gutters, etc., to their former condition, hauling away surplus material, as well as the cost of pumping, bailing, planking and shoring, excepting such lumber as may be left in by express orders of the engineer in charge.

Excavations will be divided into two kinds; "Ordinary" or "Earth Excavation," and "Rock Excavation."

(1). ORDINARY EXCAVATION.

Sec. 615. By "ordinary excavation" is understood the taking out of all materials which can be removed by pick and shovel or ax, whether hardpan, quicksand, loose and disintegrated rock, timber and stumps, boulders not exceeding in dimension one-half cubic yard, and all other materials not requiring blasting or the use of the hammer and chisel to effect their removal. The ground shall be excavated in open trenches from the surface to the necessary depth, and of the width and length specified elsewhere, and no

tunneling will be allowed except where shown on the plans or by written consent of the engineer in charge, and then it must be in strict accordance with his directions and instructions.

Sec. 616. The trenches will be excavated in the rough, to the depth of the sewer center, where they must be in width one foot greater than the greatest horizontal diameter of the sewer intended to be laid in them, unless the nature of the ground compels a greater width. The sides of the excavation must have minimum slopes. Not more than two hundred and fifty feet of trench shall be fully opened at one time in advance of, nor shall more than three hundred feet of trench be left unfilled back of the completed sewer, except by permission of the engineer.

Sec. 617. All materials excavated or delivered for use on the work must be so placed as to interfere as little as possible with travel. The cross-walks and foot-walks must be kept clear of earth, etc., for a width of three feet, for which purpose boards shall be placed when needed.

Sec. 618. The contractor is required to sling, shore up and secure in their places all water and sewer-pipes without injury,

and without interrupting their use, and to provide for the flow in and maintain all drainage and water courses, whether on the surface or underground, which may be interfered with or interrupted during the progress of the work. All surface drainage must be directed away from the trenches, and the flow from all drainage and water courses and the sub-soil must be kept from running through the completed sewer.

Sec. 619. The contractor must provide and maintain all necessary fences, walks and bridgeways, and must prosecute his work so as not to interfere with the running of railway cars, and no charges against the city or railway companies for extra costs on this account will be allowed.

Sec. 620. The contractor must place sufficient lights on or near the work and keep them burning from twilight until sunrise, and provide watchmen on the work for the safety of the public whenever deemed necessary by the engineer.

Sec. 621. The sides of the trench shall be properly and securely supported by shoring, bracing, sheet-piling or otherwise, whenever there is danger to the workmen or to the completed sewer or work, from caving or sliding earth.

Sec. 622. Proper and suitable appliances must be provided by the contractor for removing all water which may be found or which may accumulate in the trenches or other excavations, and he shall form all dams or other work necessary to keep them entirely clear of water while the work is being done. The sewers shall not be used for the purpose of draining the water away unless upon written permission from the engineer in charge for each occasion.

Sec. 623. All surplus earth shall be hauled away and deposited, as directed by the engineer, at the nearest point possible.

ROCK EXCAVATION.

Sec. 624. By "rock excavation" is understood the taking out of all materials which can only be removed by plug-and-feather, cold chisel or blasting, and the removal of stones and boulders of greater volume than one-half cubic yard each.

Sec. 625. No soft, disintegrated laminated rock which may be moved by pick and shovel, sledge or bar; no boulders of less than one-half cubic yard, or loose rock, rock fillings or earth which may cave into the trench, will be measured or allowed for as rock.

Sec. 626. At the centre of the sewer the trench shall be one foot wider than the greatest horizontal diameter of the pipe or

sewer, and the bottom shall be hollowed out approximating the shape of the sewer, to a depth of six inches below the bottom of the sewer. The sides of the excavation are to be given a minimum slope, until a width sufficient for proper working and freedom from liability of caving is obtained, then the sides are to be carried up vertically when possible to the top surface of the rock. Not less than fifty feet of trench shall be opened in advance of the completed portion of the sewer.

Sec. 627. When rock is excavated, it shall be stripped in sections of not less than fifty (50) feet, and the engineer notified in order that it may be measured and cross-sectioned. It will be paid for as measured in place. Rock excavated or blasted before such measurement will not be allowed for.

Sec. 628. All blasts must be securely and properly covered with heavy timber and the finished portions of the sewer which are so exposed as to be liable to be damaged must be properly protected. After the blast all surplus material must be removed immediately.

Sec. 629. Whenever water, gas pipe or sewers intersect the work, all rock excavations within the limit of danger of fracturing such pipe, sewer, etc., shall be accomplished without blasting, and no extra allowance shall be made therefor.

RE-FILLING.

Sec. 630. No portion of the sewer will be covered until it has been examined carefully by the engineer and instructions given to proceed with the filling. If this rule is violated the engineer in charge will have the right to stop the active work and not allow it to proceed until the work has been uncovered, thoroughly cleaned off and every step taken to admit of thorough inspection.

Sec. 631. In case the contractor refuses to have the work uncovered, or to grant the necessary facilities for inspection to the satisfaction of the engineer in charge, it shall be left entirely to the engineer's discretion to employ men at the contractor's cost and expense to prepare the work for inspection, or to condemn the work at once and order its removal.

Sec. 632. As soon as instruction is given to proceed with the filling, carefully selected earth, sand if in the immediate vicinity, free from stones, lumps, or other hard substances (if over two inches in diameter in the case of pipe sewers, of four inches in diameter in the case of brick sewers) will be carefully shoveled into the trench to a depth of one foot above the crown of the sewer. In the case of newly laid pipe sewers in trenches

over six feet deep, the earth must not be thrown directly on to the pipe, but must first be shoveled on to a portion already covered, and then passed along on to the uncovered portion by a laborer in the trench. From this point to the surface, the filling will be placed in layers, free from stones weighing over thirty pounds and it must be securely and firmly tamped and compacted by a heavy roller, or if this cannot be used, then by heavy pavior's rammers. If water is available, the whole, or such portion of the trench as may be directed by the engineer, shall be puddled or wet down during the filling.

Sec. 633. In streets and alleys that are paved or are soon to be paved the earth when replaced must be so securely tamped that the pavement may properly be placed at once. In unpaved streets and alleys, and through public or private grounds, the earth must be securely tamped or rolled in layers not exceeding twelve inches in thickness, and as directed by the engineer.

Sec. 634. On slopes and elsewhere when directed, dams of brush, boards or other materials to prevent the washing out of the trenches, must be built by the contractor, where the engineer deems necessary, and at no additional cost to the city.

Sec. 635. In case good clay is found in the excavation, if the engineer orders it, a sufficient amount shall be saved out and tempered and placed next to the arch in refilling the trenches of brick sewers. Walking over sewers will not be allowed until they have been covered with at least one foot of earth. All boulders, rocks, stumps and logs or other objects of over thirty pounds weight, and such other material as the engineer may deem unsuited for filling, shall be considered as waste or surplus material, and the engineer may limit the amount of stones, rocks, etc., used in filling.

Sec. 636. If a deficiency occurs in the amount of earth for filling, it will be hauled at once, by the contractor, and at no extra cost to the city.

Sec. 637. All surplus material, will be removed from the line of the work immediately and the streets and alleys properly cleaned up.

Sec. 638. All timber for shoring or other purposes, will be drawn carefully as the work of filling progresses, but never in such a way as to allow the banks to cave or slide.

Sec. 639. The contractor must restore to as good as their original condition all street and alley surfaces—all side-walks, cross-walks, curbs, gutters, etc., and all

public and private property disturbed during the progress of the work, and he will be required under bond to maintain such in proper condition for one year from the date of acceptance of his work.

Sec. 640. PIPE SEWERS. All materials used must be in full and strict accordance with the specifications for the same and the general specifications.

Sec. 641. If not furnished by the contractor they are to be hauled by him at his own cost and expense and he will be held responsible for, and charged with the cost of, all lost or damaged. He must not deliver at the work any material which has been rejected.

Sec. 642. Before laying the pipe, the trench bottom in earth excavation will be carefully and accurately cut or formed to the true grade and shape with wet sand well tamped. Bell holes will be cut in the bottom to receive the hub or bell of the pipe, and they must not be so large as to reduce the bearing of the pipe to less than fifteen inches of its length. They will be deep enough to readily admit making good and proper work at the bottom of the joint. If by accident or carelessness the bottom be excavated below the proper grade, it shall be restored to grade by filling with wet sand and compactly ramming it, or in such other way as the engineer may deem necessary to secure a firm and proper bed.

Sec. 643. If water accumulates in the trench or bell-holes, it must be carefully removed before making the joint. The exact grade of the bottom will be obtained by measuring down with an accurately divided pole from pegs driven in the bank by the engineer, or in any other way the engineer may approve. Center line stakes will also be placed by the engineer, and the greatest care must be taken to lay the pipe in a perfectly straight line and perfectly at grade and to bed it securely and evenly. Any deviation, between man holes, either horizontally or vertically from a truly straight line if over one-half inch, will not be allowed, and the sewer thus out of line must be taken up and re-laid. Before lowering into the trench, all pipe, branches and other specials must be carefully examined and tested for flaws, cracks, etc., and they must be matched so as to form a smooth and concentric line of pipe in the trench. All not strictly in accordance with the accompanying specifications, for vitrified earthen-ware pipe will be rejected and must be removed from the work at once and marked in a conspicuous manner to prevent their return to the work.

Sec. 644. In laying the pipe the joint will be made by first inserting the pipe end into the socket and passing it evenly and squarely against the shoulder, adjusting it so as to be truly in line along the invert and sides and at grade. It will then be held firmly until a hemp or oakum gasket has been pressed securely back into the joint around the whole pipe. All pipes having defects which are admissible by the specifications will be laid so that these defects must be well covered and filled with cement mortar. No pipe joint will be cemented until at least three joints ahead of it have received their gaskets, and all pipes must be freed from dirt before laying, and also, after making the joints, of any mortar which may have found its way to the inside.

Sec. 645. At least two inches in depth of the joint shall be first filled with cement mortar, as specified above. This will be rammed into place with a hardwood rammer when the joint is large enough to admit of it. The joint will then be completely filled by pressing into it with the fingers all the mortar it will hold. The mortar will be neatly bevelled off from the outer edge of the hub to the sides of the pipe, especial care being taken to secure good and proper work at the bottom of the joint.

Sec. 646. After the joint is made, sand or fine earth will be firmly pressed into the bell-hole by hand to hold the mortar in place. Great care must be taken not to disturb the joint after it is made, by stepping on or near the pipe, or laying material upon it.

Sec. 647. Double "y" junctions or two single "y" junctions—the lateral branches being four inches and six inches in diameter unless otherwise specified—will be placed at the down grade of every lot, thus making them every eleventh length when the lots are twenty-two feet wide, and every tenth length when the lots are twenty feet wide, and every twelfth and thirteenth length alternately when the lots are twenty-five feet wide. No branches will be placed in the street crossings unless specially ordered.

Sec. 648. Unless some connection be made at once, each lateral branch will be closed by an earthenware cap, bedded in lime mortar and securely covered with cement mortar, and a stake must be driven by the contractor at the lot line opposite, or some permanent mark made, to show its precise location.

Sec. 649. When the bottom or bed of the trench is too soft, or not a suitable foundation in the opinion of the engineer, a foundation will be made as directed by

him, and will be paid for at schedule prices, or in the manner provided for extra work.

Sec. 650. The contractor will take the precaution each time of leaving the work to securely close up the end of the pipe and to keep it free from dirt, refuse and storm water. The sewer must not be used to drain water from the trench without permission from the engineer.

Sec. 651. In bottoming out the trenches to the shape of the pipe, all stones and other substances less unyielding in their nature than the earth, and of over three inches diameter, will when discovered be removed from within four inches of the pipe, so that its bearing may be as nearly perfectly uniform as possible.

Sec. 652. The completed sewer must be laid so nearly in perfect line that an ordinary lantern flame held at the centre of the sewer at a lamp-hole or a man-hole may be wholly visible to the eye when at the level of the sewer centre at the next man-hole.

Sec. 653. Changes of grade will be always made at man-holes, and the grade elevations given for the sewer are for the invert or the lowest point of the inside of the sewer.

Sec. 654. In case any specials are omitted from the work which are called for by the plans and specifications, they will be supplied and set by the contractor at no extra expense.

Sec. 655. In cases where sub-soil drainage is thought necessary by the engineer, suitable drain-tile will be furnished by the city. They will generally be laid on a level with the bottom or top of the sewer-pipe either before or after laying the same, but may be run at such grades as the engineer may select. The pipe will be carefully laid at grades and in line, and the joints will be wrapped with one thickness of ordinary coarse wrapping paper or coarse cloth to exclude loose earth. The head of the tile-drain will be closed by a flat stone or brick. The tile will discharge into such places as the engineer may direct.

Sec. 656. Whenever pipe sewers pass through or immediately under storm-water sewers, they must be of cast-iron pipe in twelve feet length with lead joints (for iron pipe) and firmly bedded.

Sec. 657. Where the work of two contractors is joined, the contractor building the man-hole, or the junction in the larger line will set one length of pipe projecting toward the work of the other contractor and at proper grade and line.

Sec. 658. BRICK SEWERS. The trench for receiving brick sewers will be

excavated, and the materials entering it must be, as specified above.

Sec. 659. The greatest care must be taken to properly bottom the trench and to lay the invert truly to line and grade. All brick sewers will have two or more rings. The inner one will be of first quality brick laid in cement mortar; no inside joints must be greater than one-eighth of an inch. The invert and sides for one and one-half feet high must be surface-filled with cement mortar and must be well rubbed until no projections exceeding one-sixteenth of an inch are left, and until a reasonably smooth surface is obtained. The outer or second ring may be laid of second quality brick laid in cement mortar, and no joint must exceed one-half inch in thickness but must average three-eighths inches.

Sec. 660. The brick must be completely bedded in and all joints must be entirely filled with mortar, and if inequalities ex-

ist in the crown of the sewer they must be filled with cement mortar.

Sec. 661. The whole work must be laid truly to line, circle and grade. The centres and their supports must be strong, durable and well made and kept in perfect order and every effort must be made to do the work in a workmanlike and strictly first-class manner.

Sec. 662. All mortar used must be fresh, and the brick must be well wetted immediately before laying. The brick must be sorted before being delivered at the work.

Sec. 663. Great care must be taken in working man-holes, etc., into the sewer, and no two sections must be joined by "toothing" together. Unfinished ends must always be racked back. In the event of two contractors joining their work, the one first reaching the end of his work will rack back his work, extending the invert as much ahead of the junction as the crown is back of it.

APPURTENANCES.

Sec. 664. **MAN-HOLES.** Man-holes will be worked into the arches of brick sewers, of the size, form and thickness, and be built in the manner shown on the plans, and they must be carried up to the established grade.

Sec. 665. For pipe-sewers they will be as shown in the drawings. All bends in sewers less than fifteen inches in diameter will be made in man-holes and all junctions of main and laterals will be made in man-holes when the laterals are less than fifteen inches in diameter. The brick-work is to be second quality brick set in cement mortar as specified under the head "materials."

Sec. 666. Connections with arches of brick sewers and taper portions must be truly, securely and well made and must be worked to lines, not less than eight being used. The joints are to be neatly struck and pointed on the inside, and the outside of man-holes must be plastered with cement mortar. No joint must exceed three-eighths of an inch in thickness.

Sec. 667. The foundations for man-holes for pipe-sewers, and when necessary for those on brick sewers, will be of concrete and of the depth below the invert of the sewer as shown by the plans.

Sec. 668. Wrought-iron steps or rods, as shown by detailed drawings will be built in where shown.

Sec. 669. Man-holes shall be fitted with cast-iron head and cover of the form and dimensions shown in plans. Each man-

hole will be completed as the work progresses.

Sec. 670. **LAMP-HOLES.** Lamp-holes on pipe-sewers will be made by turning the branches of a Tee vertically upward at the location designated, and extending a line of pipe vertically upward to the grade designated. The lamp-hole will be of six-inch pipe for six and seven inch sewers. For larger pipe sewers the diameter of the lamp-hole will be eight inches.

Sec. 671. Lamp-holes must be true to the line and truly vertical, and will terminate, on unpaved streets, one foot below the surface of the ground and will be fitted with hard-wood caps as shown. On paved streets, they will terminate so that the top of the cap will be of iron as shown by the plans is at grade of the street. The joints will be made in the same way as in laying the sewer pipe.

Sec. 672. **INLETS OR CATCH BASINS.** Inlets or catch basins will be built wherever shown on the plans of the work or at such other places as may be directed by the engineer in charge during the progress of the work. Every inlet or portion thereof, shall be built with the materials of the size and form, and in the manner designated on the plan and up to the established grade.

Sec. 673. Cast-iron covers and gratings of the best quality and coated with asphaltum, and of the size and shape shown on the plans will be furnished by the con-

tractor, and built securely and properly into the work.

Sec. 674. The foundation will be of concrete, but in the case the nature of the ground be such that in the opinion of the engineer plank or stones should be used, it will be furnished and laid by the contractor.

Sec. 675. The brick work will be of second quality brick, laid in cement mortar, as specified under the heading "Materials." All inside joints are to be neatly struck and pointed, and the outside will be plastered with cement mortar. No joint must exceed three-eighths of an inch in thickness.

Sec. 676. All the material or work needed in connection with the construction of the catch basins and not specified herein, will be in accordance with the plans.

Sec. 677. CONNECTION WITH SEWERS. All connections with branch, intercepting or discharge sewers required, and with man-holes or catch basins,

whether pipe or brick, are to be newly built, repaired or re-constructed, as the case may be, as the work progresses and without extra charge therefor. They must be made carefully and in a perfect manner the bricks at the joining edges must be shaped smoothly to the proper curves, set securely and with a thorough bond. Drains discharging into brick sewers wherever necessary or ordered, are to be built into the wall of the same with a curve of the largest possible radius, terminating at an angle of forty-five degrees with, and in the direction of, the flow of the current, and at the given elevation. The junctions of all pipe and brick sewers will be made in man-holes. Where connections are made with sewers carrying water, special care must be taken that no part of the work is built under water. A flume or dam must be put in and the new work kept dry until finished.

Sec. 678. The general specifications and the detail specifications will be attached and form a part of the contract.

OUTLET PIPE IN THE LAKE.

Sec. 679. The outlet-pipe extending underwater into the lake will be of cast-iron water-pipe or its satisfactory equivalent, sixteen inches in diameter and weighing thirteen hundred pounds per length of twelve feet. It will be joined in the usual manner by lead joints well caulked.

Sec. 680. The trench to receive the pipe will be excavated so that the bottom of it shall be at every place at least six feet deep below the average low-water level

of the lake and this trench will be re-filled with sand or fine earth after the pipe is laid.

Sec. 681. The pipe must be bedded in the bottom with a covering of at least six inches of earth until a depth of ten feet of water is reached. It may then lie on the bottom of the lake.

Sec. 682. The bed of the lake along the line of the pipe must be made uniform and suitable to receive the pipe before it is laid.

RULES AND RESTRICTIONS

ADOPTED BY THE

BOARD OF FIRE AND WATER COMMISSIONERS

FOR THE GOVERNMENT OF WATER TAKERS.

Sec. 683—(1). **PERMIT TO TAP.** No person shall tap any main or distributing pipe without first having obtained a permit from the board.

Sec. 684—(2). **APPLICATION FOR PERMIT.** All applications must be made at the office of the board by the owner of the premises, or some person duly authorized by him; application must describe fully the locality and state truly the various uses to which the water is to be applied.

Sec. 685—(3). **WASTE, ETC.** In case of misrepresentation, use of water without permit, willful or needless waste of water, by allowing constant flow at faucets or otherwise, allowing the occupant of any building not paying water rates to use water, the water may be shut off without notice, and the party violating this rule will be subject to a fine of not less than five and not exceeding twenty-five dollars.

Sec. 686—(4). **PAYMENT OF RATES.** Water rates are due and payable in advance at the office of the treasurer of the board on the first days of May and November in each year. Ten per cent will be added if not paid within thirty days thereafter, and the water shut off without notice and not turned on again except upon the payment of all arrearages and in addition thereto the sum of two dollars for closing and opening the street stop-cock. After expiration of time allowed for payment without addition of the ten per cent penalty, the same shall be paid only to the secretary of the board.

Sec. 687—(5). **EXAMINATION OF BUILDINGS.** The various officers of the board, and any person by them delegated for that purpose, must have access at proper hours to all parts of every building where water is used, to examine pipes and fixtures and ascertain whether there is any unnecessary waste of water.

Sec. 688—(6). **INTERFERENCE WITH PIPES, ETC.** It shall be unlawful for any person not duly authorized to bore any pipe, open any hydrant or stop-cock, or interfere with any part of

the works; any person interfering shall, on conviction, pay all damages, and a penalty of not less than five nor more than one hundred dollars, as provided by law, for each offense.

Sec. 689—(7). **FOUNTAINS.** The play of fountains is restricted to six hours per day, and the size of the opening to one-eighth inch in diameter.

Sec. 690—(8). **SPRINKLING HOSE.** The use of sprinkling hose is restricted to seven hours per day, viz: from 6 a. m. to 9 a. m., and from 4 p. m. to 8 p. m., and the size of opening in hose nozzles to three-sixteenths inch in diameter. The use of large nozzle, or allowing hose to play except during the hours above specified is strictly forbidden, and the person violating this rule will be subject to the penalty prescribed in rule three.

Sec. 691. LOCATION OF MARQUETTE FIRE ALARM BOXES.

First figure of box number indicates ward in or adjoining which box is located.

No.	Street.
12	Hampton and Allen.
14	Hampton and Division.
16	Genesee and Division.
18	Jackson and Altamont.
22	Rock and Front.
24	Rock and Fourth.
32	Arch and Spruce.
34	Spruce and Hewitt avenue.
36	High and Ohio.
42	Washington and Front.
44	Washington and Third.
46	Washington and Fifth.
52	Superior and Sixth.
54	Washington and Park avenue.
56	Washington and Lincoln avenue.
62	Front and Ridge.
64	Fourth and Ridge.
66	Third and Hewitt avenue.
72	Fourth and Alger.
74	Third and Park.
82	Pine and Crescent.

HOW TO SEND IN AN ALARM.

Break the glass in the box; turn the key; open door; and pull down the lever, once.

The penalty for sending in a false alarm is a fine of \$2 to \$50. See Sec. 392.

RULES AND REGULATIONS

OF THE

Peter White Public Library

OF THE CITY OF MARQUETTE, MICHIGAN.

Sec. 692—(1). The library shall be free for all persons over ten years of age, residing within the city, subject to the following rules:

Sec. 693—(2). Persons temporarily residing in the city may enjoy the privileges of the library on the same conditions as residents, but transient and irresponsible or uncleanly persons will not be allowed to take books.

Sec. 694—(3). The librarian shall, under the direction of the board of trustees, have general charge of the library, and shall be responsible for the care and safety of the books and other property, and for the proper and orderly condition of the library and reading room.

Sec. 695—(4). The library and reading room shall be open on all secular days except legal holidays, from 9 a. m., to 9 o'clock p. m.

Sec. 696—(5). Any person of good habits and deportment may use the reading room during the above named hours; but no person shall be allowed to converse or lounge about the room; or to make use of it for any purpose except reading, writing and the selection and exchange of books. Particular attention is called to the prohibition of conversation, avoidable noise and unbecoming conduct of every kind. The use of tobacco is specially prohibited. Dogs will not be allowed in the library or reading room.

Sec. 697—(6). Any resident of Marquette over ten years of age may draw books from the library by signing an agreement to observe all of its rules and regulations, and by complying with either of the following conditions:

a.—By giving satisfactory security in the form following—to remain in force not more than one year.

Marquette, Mich.,.....18..

I, the undersigned, a resident taxpayer of Marquette, hereby certify that.....
.....residing at No.....
st., is a fit person to enjoy the privileges

of The Peter White Public Library of the city of Marquette, and that I will be responsible for the observance by h.... of the regulations of the library, and will make good any injury or loss the library may sustain, or any indebtedness incurred from the permission to draw books that may be given in consequence of this certificate.

.....
Residing at No.....St.

b.—By depositing three dollars with the librarian and, in special cases such further sum as the value of the books asked for may, in the judgment of that officer, require.

For such a deposit a receipt shall be given, and the money will be refunded on the surrender of the card clear of all liability, and the return of the receipt by the depositor in person or on his written order. The privileges so granted may be revoked by the librarian for cause, or by the guarantor or depositor on the surrender of the library card, and on the payment of any indebtedness incurred with it.

The form of agreement is as follows:—

I, the undersigned....years of age, living at No.....st., hereby promise in consideration of the use of the Peter White Public Library of the city of Marquette, to obey the rules and regulations of said library, to carefully use and safely return all books borrowed, to pay on demand all sums accruing for fines, to replace or pay for books lost or injured, or for injuries to books borrowed by me.

Sec. 698—(7). Guarantors must be of legal age, resident tax payers of the city, and owners of property not exempt by law from execution. Married women, business firms or agents are ineligible as guarantors. No trustee or employee of the library shall become a guarantor, except for members of his own family.

Sec. 699—(8). Each person entitled to

draw books from the library will be supplied with a card inscribed with his or her name, residence and registered number. This card must be presented whenever a book is taken, returned or renewed; and if lost, it will not be replaced until fifteen days after the notice of the loss shall have been given, and the payment of ten cents to the librarian. The registered holder is in all cases responsible for books drawn by means of his or her card, by whomsoever presented. To avoid responsibility for books drawn by unauthorized persons, the registered holder should give immediate written notice to the librarian of the loss of the card. Immediate notice of a change of residence of the book borrower or guarantor must be given at the library. Neglect to give this notice will subject card holder to a forfeiture of privileges.

Sec. 700—(9). The librarian will note upon the card the condition of every book when drawn from the library, and it must be returned in like good condition, or the damage paid for to the satisfaction of the librarian, who must enforce the rules of the library in respect to loss and injury or mutilation of books. Books are supposed to be in good condition when issued and the last borrower will be held responsible for any mutilation or defacement unless the same is reported when the book is taken out. Writing or marking in books is prohibited. All injury to books beyond reasonable wear, and all losses, shall be promptly adjusted to the satisfaction of the librarian. Neglect or refusal to do this shall be sufficient cause for forfeiting all use of the library until the same is paid or adjusted. The trustees would call attention to the state law for the protection of libraries.

Sec. 701—(10). No holder of a card, except as hereinafter provided, shall be allowed to have more than one book at any one time without special permission from the librarian. Special privileges as to the number of books drawn, may be accorded to teachers and other persons making a special study of a subject or topic, on application to the librarian, who shall keep a record thereof, and report the same to the board.

Sec. 702—(11). Application for books is to be made on printed slips provided by the library. Books may be retained for two weeks and may be once renewed for the same period, at the discretion of the librarian, except those of recent purchase labeled "Seven Day Book," which while so labeled shall not be retained more than one week, and shall not be renewed until after they have been in circulation for the space of three months.

Sec. 703—(12). Persons may receive books for consultation in the reference or reading room by making application on printed slips furnished for that purpose, but such books must be returned to the librarian before the borrower leaves the room.

Sec. 704—(13). Reference books marked R. L. (reference library) in the catalogue can not be taken from the library.

Sec. 705—(14). Rare or costly and elaborately illustrated books and such others as may be unsuited for general circulation and marked by a star (*) in the catalogue, can be used in the reading room, but cannot be taken from the library except by the written permission of two of the trustees.

Sec. 706—(15). Neither books, papers, nor magazines belonging to the reading room can be taken from the library. No paper or periodical shall be clipped, marked, or otherwise mutilated or defaced, and in case thereof the person offending shall be subject to the same fine or penalty as if such paper or periodical were a bound book, and in extreme cases of prosecution under the law.

Sec. 707—(16). Books are at all times subject to recall for library purposes. All the books shall be returned for an annual examination at such time as the trustees may appoint.

Sec. 708—(17). No person except the librarian and assistants or a trustee shall enter the bookroom, or take any book from the shelves. No person shall lend his or her card or book to one not a member of the same household. No book will be exchanged on the same day on which it is taken out. No book shall be transferred from one card to another.

Sec. 709—(18). A fine of three cents a day shall be paid on each book which is not returned according to the preceding rules; and no other book will be delivered to the delinquent until the fine is paid.

Sec. 710—(19). The delinquent will be notified through the mail three days after the book is due; and one week thereafter if the book is not returned, a written notice may be sent by a messenger, who will be directed to bring in the book and collect an additional fine of twenty-five cents. If the book and fine are not furnished to the messenger, the guarantor will be notified. If the book be not returned in one month, the librarian may proceed to collect by law the value of the book with the accrued fines and other charges to the date of payment. Borrowers are reminded that the sending of notice is merely an act of courtesy, and that the lack of any notice from the library is

not a valid excuse for not returning a book at the proper time.

Sec. 711—(20). The library cards of persons by whom fines or charges have been or shall be incurred, and who shall neglect to pay such fines or charges for thirty days after they have been incurred, shall be cancelled by the librarian; and no new card shall be issued to any such delinquent until all fines and charges have been paid. A delinquent can neither draw books himself, nor serve as guarantor for any other person.

Sec. 712—(21). Any person abusing the privileges of the library, or violating these regulations shall be temporarily suspended from the use of the library by the librarian, and the case reported to the board of trustees for action thereon; and such persons may, at the discretion of the board, forfeit all privileges.

THE STATE LAW FOR THE PROTECTION OF LIBRARIES.

Act No. 3 of the laws of 1881.

Sec. 713—(1). The people of the state of Michigan enact, that any person who shall, willfully, maliciously or wantonly, tear, deface or mutilate, or write upon, or by other means injure any book, pamphlet, map, chart, painting or picture, belonging to any public library, or to any

library, the property of any literary, scientific, historical, or library society or association, whether incorporated or unincorporated, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than two dollars nor more than fifty dollars, or by imprisonment in the county jail not more than sixty days, in the discretion of the court; and all justices of the peace, in their respective counties, shall have jurisdiction to hear, try and determine, all prosecutions under this act.

Sec. 714—(2). Any person who shall procure, or take in any way, from any public library, or library of any literary, scientific, historical or library society, or association, whether incorporated or not, any book, pamphlet, map, chart, painting or picture, with intent to convert the same to his own use, or with intent to defraud the owner thereof, or who having procured or taken any such book, pamphlet, map, chart, painting or picture, shall thereafter convert the same to his own use, or fraudulently deprive the owner thereof, shall be punished by a fine of not less than five nor more than one hundred dollars, or by imprisonment in the county jail for not more than three months, in the discretion of the court.

Sec. 715—(3). A printed copy of this act shall be posted in at least three conspicuous places in such library.

RULES AND REGULATIONS
OF THE
Light and Power Commission
OF THE CITY OF MARQUETTE, MICH.

Sec. 716—(1). Regular meetings of the commission shall be held at the office of the board in the city building at four o'clock p. m. of the fifth day of each calendar month, except when such day is Sunday or a legal holiday, in which case such meeting shall be held on the nearest preceding day which is not Sunday or a legal holiday.

Sec. 717—(2). Special meetings may be appointed and called by the secretary, or any three members of the commission, to be held at any time; notice of which shall be given to all members of the commission in the city, at least one hour before the time of such meeting.

Sec. 718—(3). All claims against the commission shall be verified and filed with the secretary before the hour for the regular meeting of the board in each month.

Sec. 719—(4). Applications for electric service to be furnished for private premises must be made upon blanks to be furnished by the commission, but the right is reserved to require security for the payment of rates before permitting connection of private premises to be made with the public electric system.

Sec. 720—(5). All wiring to be connected with the public electric system shall be subject to the approval of the commission and shall conform to the rules and requirements of the National Board of Fire Underwriters, as now or hereafter adopted; except as the commission shall otherwise determine.

Sec. 721—(6). No person shall tap any wire or connect with any wire, transformer or other part of the public electric system, or with any private wire in connection therewith, without first obtaining a permit therefor issued by authority of the commission.

Sec. 722—(7). No wiring to be connected with the public electric system shall be done by any person except by or under the direct personal supervision of some person licensed as wireman by the commission; and such licenses will be issued without charge, and only to persons deemed by the board to be competent to

perform such services in a skillful and workmanlike manner; which licenses may be revoked upon satisfactory evidence of the incompetency of such persons or of their violation of any of the rules and regulations of the commission.

Sec. 723—(8). No person shall put in or use any fuse wire in any electrical circuit or apparatus connected with the public electric system, of greater conductivity than one-half ampere per sixteen candle power lamp in main cut-out, where ten or more lamps are on same; or of greater conductivity than one ampere per sixteen candle power lamp, in individual cut-outs.

Sec. 724—(9). In all incandescent lighting circuits the electro-motive force of secondary circuits shall be one hundred volts.

Sec. 725—(10). Only the following makes or types of lamp bases and sockets shall be used for electric lamps operated by current from the public lighting system: For 8, 10 and 16 candle power, Sawyer-Mann; for 32 candle power, Thompson-Houston; for 50 candle power, Edison; for 75, 100 and 150 candle power, Westinghouse glass.

Sec. 726—(11). All persons using lights operated by current from the public electric system shall report, as often as required, the number and candle power of lamps used by them; and when any increase in number or in candle power of lamps is desired, permission for the use of such increased number of lamps or for lamps of greater candle power must be obtained from the superintendent before the same shall be used.

Sec. 727—(12). No person shall use on any circuit supplied from the public electric system any lamp of greater candle power, or a greater number of lamps than thereto authorized by the commission or its authorized agent.

Sec. 728—(13). The location of lamps in buildings must not be changed or candle power of lamps increased without permission first obtained from the superintendent; and any such changes must be made only by a duly licensed wireman.

Sec. 729—(14). Users of lights under "flat rate" charges who desire to reduce the number of lights used must report such reduction before deduction in charges will be made.

Sec. 730—(15). Continuous service is not guaranteed. Persons receiving electric service must waive any and all claims for damages resulting from interruption or stoppage of current, other than claims for pro rata rebate upon bills for such time as service is interrupted; Provided, that such interruption has been promptly reported to the person in charge of the public electric station, and all persons receiving such service are required to immediately notify the person in charge of the public electric station, by telephone or otherwise, of any interruption in the service.

Sec. 731—(16). All parts of all buildings and premises receiving electric service from the commission must be subject to entry and examination at all proper times by the officers and employees of the commission, for the purpose of inspecting the wiring and electrical apparatus used therein and of ascertaining the use made of electric current in such buildings.

Sec. 732—(17). No wires of the public electric system shall be raised, cut or interfered with by any person for the moving of any building or other structure; except that, upon twenty-four hours notice to the superintendent of the time when and location where it is desired that any such wires shall be raised or cut to permit the moving of any building or other structure, the superintendent may cause the same to be done by the employees of the commission; Provided, the moving of such building or other struc-

ture has been authorized by the common council of the city of Marquette.

Sec. 733—(18). Bills will be rendered the first of each calendar month for electric service and supplies furnished consumers the preceding month; which bills are payable to the treasurer at his office on or before the tenth day of the month when rendered; if not then paid ten per cent will be added, and if not paid on or before the tenth day of the next succeeding calendar month another ten per cent will be added, service will be discontinued and will not be resumed until all arrearages and penalties are paid in full; Provided, that when any such bill shall not be paid on demand the commission may immediately discontinue service to the person or premises receiving the service or supplies for which such bill was rendered.

Sec. 734—(19). Any violation of or failure to comply with any of the foregoing rules and regulations is hereby made punishable by a fine of not less than one dollar and not exceeding twenty-five dollars and imprisonment in the city lock-up or county jail for a term not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

Sec. 735—(20). A liberal reward will be paid by the commission for any information leading to the apprehension and conviction of any person violating any of the rules of this commission or any provision of section eighteen of act No. 353 of the local acts of the state of Michigan of the year 1897, entitled "An act to create a lighting and power commission in the city of Marquette, Michigan, and to define its powers and duties." (See Sec. 250 of this volume).

RATES AND CHARGES, RULES AND REGULATIONS, OF THE LIGHT AND POWER COMMISSION

OF THE CITY OF MARQUETTE, MICH.

Adopted April 5th, 1898, and Amended November 5th, 1898.

Sec. 716—(1). Regular meetings of the commission shall be held at the office of the board in the city building at four o'clock p. m. of the fifth day of each calendar month, except when such day is Sunday or a legal holiday, in which case such meeting shall be held on the nearest preceding day which is not Sunday or a legal holiday.

Sec. 717—(2). Special meetings may be appointed and called by the secretary, or any three members of the commission, to be held at any time; notice of which shall be given to all members of the commission in the city, at least one hour before the time of such meeting.

Sec. 718—(3). All claims against the commission shall be verified and filed with the secretary before the hour for the regular meeting of the board in each month.

Sec. 719—(4). Applications for electric service to be furnished for private premises must be made upon blanks to be furnished by the commission, but the right is reserved to require security for the payment of rates before permitting connection of private premises to be made with the public electric system.

Sec. 720—(5). All wiring to be connected with the public electric system shall be subject to the approval of the commission and shall conform to the rules and requirements of the National Board of Fire Underwriters, as now or hereafter adopted; except as the commission shall otherwise determine.

Sec. 721—(6). No person shall tap any wire or connect with any wire, transformer or other part of the public electric system, or with any private wire in connection therewith, without first obtaining a permit therefor issued by authority of the commission.

Sec. 722—(7). No wiring to be connected with the public electric system shall be done by any person except by or under the direct personal supervision of some person licensed as wireman by the commission; and such licenses will be issued

without charge, and only to persons deemed by the board to be competent to perform such services in a skillful and workmanlike manner; which licenses may be revoked upon satisfactory evidence of the incompetency of such persons or of their violation of any of the rules and regulations of the commission.

Sec. 723—(8). No person shall put in or use any fuse wire in any electrical circuit or apparatus connected with the public electric system, of greater conductivity than one-half ampere per sixteen candle power lamp in main cut-out, where ten or more lamps are on same; or of greater conductivity than one ampere per sixteen candle power lamp, in individual cut-outs.

Sec. 724—(9). In all incandescent lighting circuits the electro-motive force of secondary circuits shall be one hundred volts.

Sec. 725—(10). Only the following makes or types of lamp bases and sockets shall be used for electric lamps operated by current from the public lighting system: For 8, 10 and 16 candle power, Sawyer-Mann; for 32 candle power, Thompson-Houston; for 50 candle power, Edison; for 75, 100 and 150 candle power, Westinghouse glass.

Sec. 726—(11). All persons using lights operated by current from the public electric system shall report, as often as required, the number and candle power of lamps used by them; and when any increase in number or in candle power of lamps is desired, permission for the use of such increased number of lamps or for lamps of greater candle power must be obtained from the superintendent before the same shall be used.

Sec. 727—(12). No person shall use on any circuit supplied from the public electric system any lamp of greater candle power, or a greater number of lamps than thereto authorized by the commission or its authorized agent.

Sec. 728—(13). The location of lamps in buildings must not be changed or candle

power of lamps increased without permission first obtained from the superintendent; and any such changes must be made only by a duly licensed wireman.

Sec. 729—(14). Users of lights under "flat rate" charges who desire to reduce the number of lights used must report such reduction before deduction in charges will be made.

Sec. 730—(15). Continuous service is not guaranteed. Persons receiving electric service must waive any and all claims for damages resulting from interruption or stoppage of current, other than claims for pro rata rebate upon bills for such time as service is interrupted; Provided, that such interruption has been promptly reported to the person in charge of the public electric station, and all persons receiving such service are required to immediately notify the person in charge of the public electric station, by telephone or otherwise, of any interruption in the service.

Sec. 731—(16). All parts of all buildings and premises receiving electric service from the commission must be subject to entry and examination at all proper times by the officers and employees of the commission, for the purpose of inspecting the wiring and electrical apparatus used therein and of ascertaining the use made of electric current in such buildings.

Sec. 732—(17). No wires of the public electric system shall be raised, cut or interfered with by any person for the moving of any building or other structure; except that, upon twenty-four hours notice to the superintendent of the time when and location where it is desired that any such wires shall be raised or cut to permit the moving of any building or other structure, the superintendent may cause the same to be done by the employees of the commission; Provided, the moving of such building or other structure has been authorized by the common council of the city of Marquette.

Sec. 733—(18). The charges for electric lighting and power shall be based in each case as the commission may determine, upon either the flat rate system, or the meter system.

The term "flat rate system" shall be understood to be that of a fixed yearly charge per lamp or per motor, divided into equal monthly payments.

The term meter system shall be understood to be that of a fixed rate of charge, for quantity of current used, in units of 1,000 watts or of ampere hours. All meters required will be furnished, owned

and kept in order by the commission and when in use will be kept under the seal of the commission, and all persons, except members and employees of the commission, are prohibited from breaking the seal or connections on any meter or in any way tampering with or injuring the same, or altering the readings of any meter.

All charges for lighting and power and supplies furnished by this commission are hereby made due and payable on the first day of each month for the amount of the same accruing during the preceding calendar month. Bills will be rendered therefor and shall be paid to the city treasurer at his office in the City Hall on or before the fifteenth day of the month when due; if not then paid a penalty of 10 per cent. will be added, and if not paid within thirty days thereafter, service will be discontinued and will not be resumed until full payment is made, with interest at the rate of 8 per cent. per annum; Provided that when any such bill is not paid on demand, the service may be immediately discontinued.

FLAT RATES.

For 2,000 candle power arc lights, the lamps to be furnished, hung, connected, carboned and kept in order by the commission and burning all night and every night, the city of Marquette shall pay \$5.00 per lamp per month, and private parties shall pay \$6.00 per lamp per month; Provided that private parties shall do all inside wiring and shall purchase and own the arc lamps for all inside lighting.

For the same burning less than the above, and for inside arc lighting, such proportion of foregoing rates as the commission may determine in each case.

For incandescent lighting, the following rates per lamp per month shall be paid for all lamps connected and capable of being used:

For 16 candle power lamps in churches, 15 cents.

For 16 candle power lamps in offices, stores and business places burning only to eight o'clock p. m., except Saturday nights, 30 cents; burning only to six o'clock p. m., 25 cents.

For 16 candle power lamps in hotels having twenty or more sleeping rooms if electric lighted throughout, 25 cents.

For 16 candle power lamps in dwellings: In common sitting room, back parlor family rooms, hall, library, bath rooms and water closets, 40 cents. In parlor or dining room, not a common sit-

ting room, and in, kitchen, billiard room and laundry, 25 cents. For either 16 or less candle power lamps in bedrooms, pantry, clothes presses, coal and wood room or shed, cellar, basement, furnace rooms, and in private barn, 12½ cents.

All other 16 candle power lamps 40 cents.

FOR INCANDESCENT LAMPS OVER 16 CANDLE POWER:

	All Night.	To 8 o'clock p. m.	To 6 o'clock p. m.
32 c. p. . . .	65 cts.	50 cts.	40 cts.
50 c. p. . . .	\$1.00	75 cts.	65 cts.
75 c. p. . . .	1.50	\$1.15	95 cts.
100 c. p. . . .	2.00	1.50	\$1.25
150 c. p. . . .	3.00	2.25	1.90

For window lighting with not less than ten 8 candle power lamps, per lamp 20 cents. Same with 10 candle power lamps, per lamp 25 cents.

For temporary lighting, or lighting not covered by the foregoing rates, application may be made to the superintendent for prices.

Lights used on the flat rate system can not be cut out during the summer months, but bills for all lamps used on this system will be rendered for all the months in the year alike.

FOR POWER: FLAT RATE SYSTEM

For counter or ventilating fans requiring not to exceed 60 watts to run, \$1.00 per month each; flat iron or goose in tailor shop, \$2.00 each per month; in private house \$1.00 per month each.

METER RATES.

Ten cents per 1,000 watt hours; or one cent per ampere hour at 100 volts.

A minimum meter rate shall be paid

upon the number of lamps connected on each meter as follows:

20 to 39 lamps.....	\$1.00 per month.
40 to 74 lamps.....	1.50 per month.
75 to 100 lamps.....	2.00 per month.
Over 100 lamps,	\$3.00 per month.

When the amount of current used during the month amounts to the respective minimum rate or more, the latter will not be charged. No meter will be furnished for less than 20 lamps.

For power other than as above, prices will be made by the commission on application to the superintendent.

Sec. 734—(19). Any violation of or failure to comply with any of the foregoing rules and regulations is hereby made punishable by a fine of not less than one dollar and not exceeding twenty-five dollars and imprisonment in the city lock-up or county jail for a term not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

Sec. 735—(20). A liberal reward will be paid by the commission for any information leading to the apprehension and conviction of any person violating any of the rules of this commission or any provision of section eighteen of act No. 353 of the local acts of the state of Michigan of the year 1897, entitled "An act to create a lighting and power commission in the city of Marquette, Michigan, and to define its powers and duties." (See Sec. 233, et seq., "charter and ordinances 1898.")

I hereby certify that the foregoing are the rates and charges, rules and regulations of the Light and Power commission of the city of Marquette, adopted April 5, 1898, and amended Nov. 5, 1898.

JAMES E. SHERMAN,
Secretary of said Commission.

Dated Nov. 10, 1898.

MISCELLANEOUS PROVISIONS OF
LAW RELATING TO PUBLIC AFFAIRS,
AND
LAWS REQUIRING DUTIES OF PUBLIC OFFICERS.

CAUCUSES AND CONVENTIONS.

Act No. 303, public acts of 1887, p. 416.

Sec. 736—(1). The people of the state of Michigan enact, If at any political primary election held by any political party, organization or association in this state, any person shall falsely personate and vote under the name of any other person, or shall intentionally vote without the right to do so at such primary, or shall fraudulently and wrongfully conceal or destroy ballots cast, or in any manner intentionally and wrongfully deposit ballots in the ballot box, or take them therefrom, or shall commit any other fraud or wrong, tending to defeat or affect the result of the election, he shall be deemed guilty of a misdemeanor.

Sec. 737—(2). The presiding officer and inspectors at any such election, shall, before entering upon their duties, severally sign and swear to an oath in the form now required of inspectors at general elections, said oath to be taken before the clerk of the township, village or city in which such election is held, or an alderman of the ward in which said election is held, or any notary public. The vote or ballot of any person offered at such election shall, upon challenge by any lawful voter thereat, be rejected, unless he be sworn as to his qualifications as such voter; and the presiding officer or any inspector of such primary is hereby empowered, and it shall be his duty, to administer an oath to such person and to any other persons offering to vote, as he may deem advisable, to the effect that he will true answers make to such questions as shall be put to him touching his qualifications as a voter and his right to vote. He may then be examined as to such qualifications and right to vote. If he shall swear to the necessary qualifications

as a voter, as prescribed by the regulations of the association or political organization holding the primary or convention, his vote shall be received. If the person so sworn and examined shall intentionally swear falsely as to his qualifications as a voter, he shall be deemed guilty of perjury, and shall, on conviction, be punished as now prescribed by law for the crime of perjury.

Sec. 738—(3). If any person acting as inspector, teller or canvasser at any such primary election shall knowingly receive the vote of any individual who shall have been challenged, or who is known to him not to be entitled by the regulations of the association holding the primary election to vote at such primary, unless the same shall be first sworn in as aforesaid, or shall in any manner fraudulently and wrongfully deposit or put any ballots into, or take any from the ballot box of said primary election, or shall fraudulently or wrongfully mix any ballots with those cast at said primary election, or shall knowingly make any false count, canvass, statement, certificate or return of the ballots cast or vote taken at any such primary election, he shall be deemed guilty of a misdemeanor.

Sec. 739—(4). If any person elected a delegate at any such primary or convention, shall accept or receive any money or valuable thing as a consideration for his vote as such delegate, he shall be deemed guilty of a misdemeanor.

Sec. 740—(5). The words "primary election," as used in this act, shall be construed so as to embrace all elections held by any political party, convention, organization or association, or delegates therefrom, for the purpose of choosing candidates for office or the election of delegates to other conventions, or for the purpose

of electing officers of any political party, organization, convention or association.

Sec. 741—(6). No person shall be entitled to vote at any primary election unless of the age of twenty-one years, and a duly qualified elector of the state.

Sec. 742—(7). The punishment of any of the offenses of this act declared to be misdemeanors shall be a fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

Sec. 743—(8). [Added 1893.] No primary election shall be held in a saloon, bar room or in any place adjacent to a room or place where intoxicating liquors are sold. Polling places at primary elections may be so arranged that the ballots may be received through an open window, but where the polling or ballot box is inside, the room shall be sufficiently large to admit a reasonable number of persons in addition to the inspectors, clerks and challengers.

Sec. 744—(9). [Added 1893.] Primary elections known as caucuses, for the nomination of candidates for local offices, and for the appointment of delegates to conventions, shall be made to begin at two o'clock in the afternoon and continue until eight o'clock in the evening, and at least five days' notice thereof shall be given by publication in one or more daily newspapers in places where such papers are published, and in other cases by posting up notices in at least three public places in the precinct for which such primary election is to be held. The manner of voting at such elections shall be by ballot; Provided, that so much of this section as relates to the hours during which primary elections shall be held, and the manner of voting thereat, shall be applicable only in cities having twenty-five thousand inhab-

itants and over, as by the last preceding federal or state census.

Note. Sec. 18 of act No. 135, laws of 1895, authorizes the common council of any city of less than fifteen thousand population, by ordinance on confirmation of the voters of such city, to conduct their primaries in the same manner as those cities embraced in said act under fifty thousand population.

CHALLENGERS.

Sec. 745. At every election, each of the political parties shall have the right to designate and keep not exceeding two challengers at each place of voting, who shall be assigned such position immediately adjoining the inspectors, inside the polling place, as will enable them to see each person as he offers to vote, and a seat and table or desk on which he may write within the railing shall be furnished for the accommodation of one of such challengers of each political party, and he shall have the right to inspect the poll lists as kept by the clerks, and who shall be protected in the discharge of their duty by the inspectors and the police. Authority, signed by the recognized chairman or presiding officer of the chief managing committee of a party in such county or township, city, ward or voting precinct, shall be sufficient evidence of the right of such challengers to be present inside the room where the ballot box is kept. The chairman appointing any challenger may, at his discretion, remove him and appoint another. Any challenger shall have the right and privilege of remaining during the canvass of the votes and until the returns are duly signed and made. (Sec. 23 of election law, as amended, act 202, public acts, 1893).

Note. Challengers must witness the marking of ballots of infirm persons by inspectors of election.

PURITY OF POLITICAL CONVENTIONS.

Act No. 203, public acts of 1895, p. 372.

Sec. 746—(1). No delegate elected to any city, county, congressional or state political convention shall give a proxy to any person to represent him at such convention, and no person shall receive a proxy from any regularly elected delegate to any such political convention. All vacancies occurring in any delegation to any such convention shall be filled by a majority vote of such delegation; if in a city or county convention, of the delegation

from the ward or township; if in a congressional or state convention, by a majority vote of the delegation from the county: Provided, that in a city or county convention the delegation shall not be permitted to fill the vacancy which may occur in its number by any person not a resident of the ward or township from which such absent delegate was chosen and represented by such delegation, and that in a congressional or state convention such delegation shall not be filled by

any person not a resident of the county from which such absent delegate was chosen, and any person who shall violate any provisions of this section shall be deemed guilty of a misdemeanor.

Sec. 747—(2). Any delegate or member of any such convention who shall solicit any candidate for nomination before such convention, for money, reward, position, place or preferment for his support in such convention, or any candidate or other person who shall promise any such delegate money, reward, position, place or preferment for his support, or vote, in such convention, in favor of any candidate, shall be deemed guilty of a misdemeanor.

Sec. 748—(3). Any candidate or person who shall pay either money or other valuable consideration, or offer to pay mon-

ey or valuable consideration, or the expenses of any delegate or member to or at any such convention that may be incurred, as an inducement or for the purpose of securing the vote of any such delegate in favor of or against any candidate that may come before such a convention, shall be deemed guilty of a misdemeanor.

Sec. 749—(4). Any person found guilty of any offense defined in this act as a misdemeanor shall, upon conviction thereof, be sentenced to pay a fine of not less than twenty-five dollars not more than five hundred dollars, or to be confined in the county jail not less than ten days nor more than six months, or both such fine and imprisonment in the discretion of the court having jurisdiction thereof.

ELECTION LAWS.

Provisions of act No. 194, public acts 1891.

Sec. 750—(1). **GENERAL LAWS APPLICABLE.** That all elections hereafter held in the various cities, villages and townships in this state, shall be in conformity with the provisions of the laws governing general elections so far as the same shall be applicable thereto, and all the provisions of such laws relative to the boards of election inspectors, the arrangement of polling places, the manner of voting and receiving votes, and the canvass and declaration of the result of such election, are hereby made applicable to such municipal and township elections, but the time for the opening and closing of the polls shall not be affected thereby.

Sec. 751—(2). **BOARD OF ELECTION COMMISSIONERS.** The township board of each township, and such persons as shall be elected therefor by the common councils of the various cities and villages in this state, shall be the board of election commissioners for such township, city, or village respectively, and shall perform such duties relative to the preparation and printing of ballots as are required by law of the boards of election commissioners of counties.

Sec. 752—(2). **PARTY COMMITTEES.** And like duties and privileges as are enjoined and granted by the laws governing general elections upon the various committees of the different political organizations are hereby prescribed for the city, village or township committees in elections held pursuant hereto; except that it shall not be necessary for the committees of the different political organizations to

furnish a vignette or heading for the ballots other than to designate the name of the party or political organization which they represent.

Sec. 753—(3). **WHEN NAMES TO BE SUPPLIED.** In municipalities governed by this law, the names of candidates shall be given by the committees of the various political organizations to the board of election commissioners of such municipality not less than five days before each election, and the proof copy of the ballot shall be open to the inspection of the chairman of each committee at the office of the township clerk, and city or village clerk or recorder, not less than two clear secular days before such election.

Sec. 754. **THE ANTI-FUSION LAW.** The essential features of act 271, laws of 1895, known as the "anti-fusion" law, so far as applicable to city elections, may be summarized as follows:

1. The name of no one person is to be printed in more than one column on the ballot for the same office.

2. When the name of the same person is certified to the commissioners as having been nominated by more than one party, the candidate may, within two days, after being so certified, notify the commissioners in writing, either by personal delivery or by mail, directed to the chairman, in which column he wishes his name to appear.

3. If the candidate fail to so notify, the commissioners shall print his name in the column of the party first certifying his nomination.

OFFENCES AGAINST ELECTION LAWS.

Chapter 325 of Howell's statutes.

Sec. 755—(1). If any officer on whom any duty is enjoined by law, relative to general, special, township, or charter elections, or the canvassing or return of votes given at any election, shall be guilty of any willful neglect of such duty, or of any corrupt conduct in the execution of the same, he shall, on conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by fine not exceeding one thousand dollars, or imprisonment in the state prison not exceeding three years.

Sec. 756—(2). If any person shall, by bribery, menace, or any other corrupt means or device whatever, either directly or indirectly, attempt to influence any elector in giving his vote, or deter him from, or interrupt him in, giving the same, at any election held pursuant to the provisions of law, such person shall, on conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year, or both, in the discretion of the court.

Sec. 757—(3). Every person, not a qualified voter, who shall, at any election, willfully give in a vote for any officer then to be chosen, and every qualified voter who, at such election, shall vote or offer to vote in any township or ward in which he does not reside, or who shall vote or offer to vote more than once at the same election, either in the same or any other township or ward, or shall give in two or more votes folded together, shall on conviction thereof be adjudged guilty of a misdemeanor, and shall be punished by fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year, or both, in the discretion of the court.

Sec. 758—(4). Every person who shall procure, aid, or counsel any person duly

qualified to vote at the place where the vote is given or offered, to give or offer his vote at any such election, and every person who shall procure, aid, or counsel any person to go or come into any township or ward for the purpose of voting therein, at any election, knowing that such person is not duly qualified to vote in such township or ward, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished in the manner prescribed in the third section of this chapter.

Sec. 759—(5). Any person, not duly authorized by law, who shall, during the progress of any election in this state, or after the closing of the polls, and before the ballots are counted and the result ascertained, break open or violate the seals or locks of any ballot-box in which ballots have been deposited at such election, or who shall obtain undue possession of such ballot-box containing such ballots, and conceal, withhold, or destroy the same, or who shall fraudulently or forcibly add to or diminish the number of ballots legally deposited, and all persons aiding or abetting therein, shall be adjudged guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment in the state prison for a term not exceeding ten years, or by a fine not exceeding one thousand dollars.

Sec. 760—(6). It shall be the duty of every inspector of elections; sheriff, constable, and justice of the peace, knowing or having reason to believe that any offense punishable under the provisions of this chapter has been committed, to cause the offender forthwith to be arrested, and to give information thereof to the prosecuting attorney without delay; and such prosecuting attorney shall adopt effectual measures for the punishment of all persons who shall violate the provisions of this chapter.

BETTING ON ELECTIONS.

Act 172, laws of 1861.

Sec. 761—(1). Any person who shall, either directly or indirectly, bet, wager, or hazard any money, or other property, upon the result of the election of any officer of this state, or of the United States, shall, on conviction thereof, be liable to a fine at least equal in amount to the amount of money or the value of the property so bet, wagered, or hazarded:

Provided, that in no case shall such fine be less than five nor more than five hundred dollars.

BETTING UPON POLITICAL NOMINATIONS, APPOINTMENTS, ETC.

Act 175, laws of 1877.

Sec. 762.—(1). Any person who shall keep any room or building for the purpose, in part or in whole, of recording or

registering bets or wagers, or of selling pools upon the result of any political nomination, appointment, or election, and any person who shall record or register bets or wagers or sell pools on such result, or any person who shall wager any property, money, or thing exceeding one hundred dollars in value on such result, or shall keep or employ any device or apparatus for the purpose of registering or recording bets or wagers, or the selling of such pools, shall be deemed guilty of a misdemeanor, and shall on [upon] conviction thereof be punished by imprisonment in the county jail not more than one year, or by fine not exceeding one thousand

dollars, or by both such fine and imprisonment.

Sec. 763—(2). Any person who shall wager any property, money or thing not exceeding one hundred dollars in value, or shall become the custodian or depository of any money, property, or thing of value, staked, wagered, or pledged, upon the result of any political nomination, appointment, or election, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be punished by imprisonment in the county jail not more than three months, or by fine not exceeding one hundred dollars, or by both such fine and imprisonment.

MAINTENANCE OF POLITICAL PURITY.

Act No. 190, laws of 1877.

Sec. 764—(1). The following persons shall be guilty of bribery, and shall be punished accordingly:

First. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer or promise any money or valuable consideration, or promise or endeavor to procure any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any person in order to induce any voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid, on account of such voter having voted or refrained from voting for any person, candidate or ticket at any public election in this state;

Second. Every person who shall, directly or indirectly, by himself or by any other person on his behalf give or procure, or agree to give or procure, or offer or promise any office, place, or employment, or promise to procure or to endeavor to procure any office, place, or employment to or for any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid, on account of any voter having voted or refrained from voting for any person, candidate or ticket, at any such election;

Third. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, make any gift, loan, offer, promise, procurement, or agreement, as aforesaid, to or for any person, in order to induce such person to procure or endeavor to procure the election of any person to any public office in this state, or the vote of any voter at any such election;

Fourth. Every person who shall upon,

or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procure or engage, promise or endeavor to procure the election of any person or persons to any public office or offices in this state, or the vote of any voter at any such election;

Fifth. Every person who shall advance, or pay, or cause to be paid any money to, or to the use of, any other person, with the intent that such money or any part thereof shall be expended in bribery at any such election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money, wholly or in part expended in bribery at any such election.

Sec. 765—(2). Any person offending, according to the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of two hundred dollars; but the bona fide payment by any candidate for office or other person for the fair and reasonable cost of printing tickets and slips or pasters, and of advertising in the newspapers or by posters any political meeting, and the reasonable and bona fide expenses of holding such meetings and procuring speakers, and getting out the people to the same, of obtaining and distributing papers and tickets and of bringing voters out to the polls; shall be held to be expenses lawfully incurred, and the payment thereof shall not be a contravention of this act.

Sec. 766—(3). The following persons shall also be deemed guilty of bribery and on conviction thereof shall be punished as prescribed in the preceding section.

First. Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person on his behalf, ask, solicit, receive, agree or con-

tract for any money, gift, loan or valuable consideration, office, place, or employment for himself or any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting for any person, candidate, or ticket at any public election in this state;

Second. Every person who shall after any election directly or indirectly, by himself or by any other person on his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or to refrain from voting for any person, candidate, or ticket at any such election.

Sec. 767—(4). No candidate for any public office shall corruptly, by himself, or by or with any person, or by any other way or means on his behalf, at any time either before or during an election, directly or indirectly give or provide or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay wholly or in part any expenses incurred for any meat, drink, refreshment, or provision to or for any person, in order to be elected or for being elected, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election; and every person so offending shall be deemed guilty of corrupt practice, and on conviction thereof shall be fined not less than twenty-five or more than two hundred dollars.

Sec. 768—(5). The giving or causing to be given to any voter on any election day, on account of such voter being about to vote, or having voted, any meat, drink, or refreshment, or any money or ticket to enable such voter to procure refreshment, shall be deemed a corrupt practice, and persons convicted thereof shall be punished as provided in the preceding section.

Sec. 769—(6). Any person who shall directly or indirectly discharge or threaten to discharge any person who may be in his employ for the purpose of influencing his vote at any election in this state, and any priest, pastor, curate or other officer of any religious association or society, who shall impose or threaten to impose any penalty of excommunication, dismissal or expulsion, or who shall command or advise under pain of religious disapproval, for the purpose of influencing any voter at an election in this state, shall be deemed guilty of corrupt practice, and on conviction thereof shall be punished as provided for in section four of this act.

Sec. 770—(7). If any candidate for any public office at any election in this state

shall commit bribery, or any corrupt practice, as defined in this act, the election of such candidate, if he has been elected, shall be void, and if he shall enter into the office for which he was elected, an information in the nature of a quo warranto to oust him from such office, may be filed in the supreme court or the proper circuit court, under chapter two hundred and twenty-five of the compiled laws of eighteen hundred and seventy-one: Provided, such bribery or corrupt practice shall be proved by at least two witnesses.

Sec. 771—(8). Any person who shall directly or indirectly by himself or by any other person on his behalf, offer or promise any office, place, or employment under the government of the United States, or promise to procure or to endeavor to procure any such office, place or employment, to or for any member of the legislature, or to or for any other person, in order to induce such member of the legislature to vote or refrain from voting for any person for the office of United States senator from this state, or shall corruptly do any such act as aforesaid, on account of any member of the legislature having voted or refrained from voting as aforesaid, shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment in the state prison for a period not exceeding five years, or by a fine not exceeding one thousand dollars.

Sec. 772—(9). It shall be unlawful for any person to sell, barter, or give away any spirituous, vinous or malt liquors, on the day of any election held within this state, under the constitution or laws thereof; and it shall be the duty of all mayors of cities, presidents of villages, and supervisors of townships, within five days previous to the days of election as aforesaid, to issue a proclamation, warning the inhabitants of the provisions of this act, and that all violations of the same will subject the offender to prompt and speedy punishment, and requiring sheriffs, marshals, constables, and police officers to close, and it shall be the duty of such officers to close all houses or places found violating the provisions of this act, and to report forthwith all violations of this act, to the prosecuting attorney and mayor, president or supervisors aforesaid, and whose duty it shall be to immediately prosecute such violations of this act. Any person who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than

twenty-five dollars, nor more than one hundred dollars, and costs of prosecution, and on failure to pay such fine and costs, shall be imprisoned in the county jail not less than ten days, nor more than ninety days, or both such fine and imprisonment, in the discretion of the court.

Sec. 773—(10). It shall be deemed a violation of this act and of the preceding section to sell, barter or give away spirituous, vinous or malt liquors on any election day after the hour at which, by law, the polls are closed.

Sec. 774. SOLICITATION PROHIBITED. By Sec. 33 of the election law it is unlawful for the board of election inspectors, or any of them, or any person in the polling room or any compartment therewith connected, to persuade or to endeavor to persuade any person to vote for or against any particular candidate or party ticket.

Sec. 775. EXPENDITURES BY CANDIDATES. Sec. 43 of the election law makes it unlawful for any candidate for any elective office, with intent to promote his election, or for any other person,

with the intent to promote the election of any such candidate, either:

First. To provide or furnish entertainment at his expense to any meeting of electors, previous to, or during the election at which he [shall] may be a candidate; or,

Second. To pay for, procure, or engage to pay for any such entertainment; or,

Third. To contribute money for any other purpose intended to promote an election of any particular person or ticket, except for the defraying the expenses of office room or hall rent, postage, stationary and clerk hire, music at public meetings, the pay and expense of public speakers, transportation of committeemen, the pay of challengers at polls, and of persons to inspect the registration of voters and of persons employed to make lists of the voters in election precincts, and of printing, and the circulation of handbills and other papers previous to any such election, or for conveying electors to the polls.

INSPECTION OF BUILDINGS.

Sec. 776. Act No. 226, laws of 1879, as amended by Act No. 41, laws of 1881, (Howell's statutes, 2096-2102) makes provision for the inspection of public buildings in cities and villages, and makes it unlawful to use such buildings until they have been properly inspected and approved for use in accordance with the law.

Sec. 777. Act No. 182, laws of 1877, (Howell's statutes, 2091-2094) makes it the duty of township boards, village trustees, and the city councils to appoint a committee of three (one of them the chief of the fire department, or the fire warden), to examine all hotels or public houses, more than two stories high, and having

thirty or more rooms for guests, as to provisions for protection of guests from danger by fire, and to report to the appointing body, which body is required to cause needed changes to be made in accordance with the provisions of the act. The act also makes it their duty (with the village president or city mayor) to examine all such hotels or houses, or cause them to be examined at least once in each year. Act No. 170, laws of 1883, imposes duties on township and village boards and common councils in enforcing the provisions of said act with regard to fire escapes in hotels, boarding and lodging houses, and other places of assembly.

BONDS TO INSURE PAYMENT OF WAGES, AND FOR MATERIALS USED IN PUBLIC WORKS.

Act No. 94, public acts 1883.

Sec. 778—(1). When public buildings, or other public works, are about to be built, repaired, or ornamented under contract, at the expense of this state, or of any county, city, village, township, or school district thereof, upon which build-

ings or works liens might attach for labor or materials, if belonging to private persons, it shall be the duty of the board, officers, or agents contracting on behalf of the state, county, city, village, township, or school district, to require sufficient security, by bond, for the payment

by the contractor, and all sub-contractors, for all labor performed or materials furnished in the erection, repairing, or ornamenting of such building.

Sec. 779—(2). Such bond shall be executed by such contractor to the people of the state of Michigan, in such amount, and with such sureties as shall be approved by the board, officer, or agent acting on behalf of the state, county, city, village, township, or school district as aforesaid, and conditioned for the payment by such contractor, or any sub-contractor, as the same may become due and payable, of all indebtedness which may accrue to any person, firm, or corporation, on account of any labor performed, or materials furnished in the erection, re-

pairing, or ornamenting of such building or works. Such bond shall be deposited with, and held by, such board, officer or agent, for the use of any party interested therein.

Sec. 780—(3). Such bond may be prosecuted, and recovery had, by any person, firm, or corporation, to whom any money shall be due and payable, on account of having performed any labor, or furnished any materials in the erection, repairing, or ornamenting of such building, or works, in the name of the people of this state, for the use and benefit of such person, firm, or corporation: Provided, that the people of this state shall, in no case brought under the provisions of this act, be liable for costs.

THE PUBLIC HEALTH.

THE PRESERVATION OF PUBLIC HEALTH; QUARANTINE, NUISANCES, AND OFFENSIVE TRADES.

Provisions of chapter 39, Howell's statutes, Secs. 1634-1685.

Sec. 781—(1634). Every township board of health shall appoint and constantly have a health officer of the township, who shall, where practicable, be a physician and sanitary adviser, and an executive officer of the board: Provided, that in townships where it is not practicable to secure the services of a well educated and suitable physician, the board may appoint the supervisor or some other person as such health officer. The board of health shall establish his salary or other compensation, and shall regulate and audit all fees and charges of persons employed by them in the execution of the health laws and of their own regulations. Within thirty days after the annual township meeting in each year, the board of health shall meet for the transaction of business and shall appoint or re-appoint a health officer, and shall immediately cause to be transmitted to the secretary of the state board of health, at Lansing, the full name and postoffice address of such health officer, and a statement whether he is a physician, the supervisor, or some other person not a physician. A special meeting of the board may be called by the order of the president or of any two members of said board.

Sec. 782—(1635). The board of health shall make such regulations respecting

nuisances, sources of filth, and causes of sickness, within their respective townships, and on board of any vessels in their ports or harbors, as they shall judge necessary for the public health and safety; and if any person shall violate any such regulations, he shall forfeit a sum not exceeding one hundred dollars.

Sec. 783—(1636). The said board shall also make such regulations as they may deem necessary for the public health and safety, respecting any articles which are capable of containing or conveying any infection or contagion, or of creating any sickness, when such articles shall be brought into, or conveyed from, their township, or into or from any vessel; and if any person shall violate any such regulation, he shall forfeit a sum not exceeding one hundred dollars.

Sec. 784—(1637). The said board shall also make all regulations which they may deem necessary for the interment of the dead, and respecting burying-grounds, for their township; and it shall also be the duty of said board to purchase in each surveyed township so much land for burying-grounds as shall be necessary for burying the dead of such township, provided suitable grounds therefor can be found and procured within the township, and if not, they shall then provide such grounds in the nearest adjoining township where such suitable grounds can be procured.

Sec. 785—(1638). The board of health of the township for which such burying-grounds shall be procured, and the suc-

cessors in office, shall hold the fee of such land in trust for such township; and they shall keep the same, or so much thereof as shall be necessary, surrounded with a good and substantial fence; the expenses of the purchase of such lands, and of fencing and regulating the same, to be certified to the town board by the board of health, and, by the town board, provided for as a part of the contingent expenses of the township: Provided however, that the board of health may, whenever they think it desirable, sell and convey single or family burial lots in said township burying-grounds, to such person or persons as may desire to procure the same, and apply the proceeds thereof towards the purchase or improvement of said grounds, certifying the amount of all such sales and expenditures to the township board as above provided.

Sec. 786—(1639). Notice shall be given by the board of health of all regulations made by them, by publishing same in some newspaper of the township, if there be one published therein, and if not, then by posting them up in five public places in such township; and such notice of said regulations shall be deemed legal notice to all persons.

Sec. 787—(1640). The board of health shall examine into all nuisances, sources of filth, and causes of sickness that may, in their opinion, be injurious to the health of the inhabitants within their township, or in any vessel within any harbor or port of such township; and the same shall destroy, remove, or prevent, as the case may require.

Sec. 788—(1641). Whenever any such nuisance, source of filth or cause of sickness shall be found on private property, the board of health shall order the owner or occupant thereof, at his own expense, to remove the same within twenty-four hours; and if the owner or occupant shall neglect so to do, he shall forfeit a sum not exceeding one hundred dollars.

Sec. 789—(1642). If the owner or occupant shall not comply with such order of the board of health, such board may cause the said nuisance, source of filth, or cause of sickness, to be removed, and all expenses incurred thereby shall be paid by the said owner or occupant or by such other person as shall have caused or permitted the same.

Sec. 790—(1643). Whenever any person shall be convicted on an indictment for a common nuisance that may be injurious to the public health, the court may, in its discretion, order it to be removed or destroyed, at the expense of the defendant, under the direction of the board

of health of the township where the nuisance is found; and the form of the warrant to the sheriff or other officer may be varied accordingly.

Sec. 791—(1644). Whenever the board of health shall think it necessary for the preservation of the lives or health of the inhabitants to enter any building or vessel in their township; for the purpose of examining into and destroying, removing, or preventing any nuisance, source of filth, or cause of sickness, and shall be refused such entry, any member of the board may make complaint, under oath, to any justice of the peace of his county, whether such justice be a member of such board or not, stating the facts of the case, so far as he has knowledge thereof.

Sec. 792—(1645). Such justice may thereupon issue a warrant directed to the sheriff or any constable of the county, commanding him to take sufficient aid, and being accompanied by any two or more members of said board of health, between the hours of sunrise and sunset, to repair to the place where such nuisance, source of filth, or cause of sickness complained of may be, and the same destroy, remove, or prevent, under the direction of such members of the board of health.

Sec. 793—(1646). The board of health may grant permits for the removal of any nuisance, infected article, or sick person within the limits of their township, when they shall think it safe and proper so to do.

Sec. 794—(1647). When any person coming from abroad or residing in any township within this state, shall be infected, or shall lately before have been infected with the small-pox, or other sickness dangerous to the public health, the board of health of the township where such person may be, shall make effectual provision in the manner in which they shall judge best for the safety of the inhabitants, by removing such sick or infected person to a separate house, if it can be done without danger to his health, and by providing nurses and other assistance and necessities, which shall be at the charge of the person himself, his parents or other persons who may be liable for his support, if able; otherwise, as a charge of the county to which he belongs: Provided, that the health board shall keep and render an itemized and separate statement of expenses incurred in so caring for each person.

Sec. 795—(1648). If any such infected person cannot be removed without danger to his health, the board of health shall make provision for him as directed in the

preceding section, in the house in which he may be, and in such case they may cause the persons in the neighborhood to be removed, and may take such other measures as they may deem necessary for the safety of the inhabitants.

Sec. 796—(1649). The board of health of any township near to or bordering upon either of the neighboring states, may appoint, by writing under their hands, suitable persons to attend any places by which travelers may pass from infected places in other states; and the persons so appointed may examine such passengers as they may suspect of bringing with them any infection which may be dangerous to the public health, and, if need be, may restrain them from traveling until licensed thereto by the board of health of the township to which such persons may come; and any person coming from such infected place, who shall, without license as aforesaid, travel within this state, unless it be to travel by the most direct way to the state from whence he came, after he shall be cautioned to depart by the persons appointed as aforesaid, shall forfeit a sum not exceeding one hundred dollars.

Sec. 797—(1650). Any two justices of the peace may, if need be, make out a warrant under their hands, directed to the sheriff or any constable of the county, requiring him, under the direction of the board of health, to remove any person infected with contagious sickness, or to take possession of convenient houses and lodgings, and to provide nurses, attendants, and other necessities for the accommodation, safety, and relief of the sick.

Sec. 798—(1651). Whenever, on application of the board of health, it shall be made to appear to any justice of the peace that there is just cause to suspect that any baggage, clothing, or goods of any kind found within the township are infected with any disease which may be dangerous to the public health, such justice of the peace shall, by warrant under his hand, directed to the sheriff or any constable of the county, require him to take with him as many men as the said justice shall deem necessary to secure such baggage, clothing, or other goods, and to post said men as a guard over the house or place where such baggage, clothing, or other goods shall be lodged, which guard shall take effectual care to prevent any person removing or coming near to such baggage, clothing, or other goods, until due inquiry be made into the circumstances thereof.

Sec. 799—(1652). The said justice may also, by the same warrant, if it shall appear to him necessary, require the said

officer, under the direction of the board of health, to impress and take up convenient houses or stores for the safe keeping of such baggage, clothing, or other goods; and the board of health may cause them to be removed to such houses or stores, or to be otherwise detained, until they shall, in the opinion of said board of health, be freed from infection.

Sec. 800—(1653). Such officer, in the execution of such warrant, shall, if need be, break open any house, shop, or any other place mentioned in said warrant, where such baggage, clothing, or other goods shall be; and he may require such aid as shall be necessary to effect the execution of the warrant; and all persons shall, at the command of any such officer, under a penalty not exceeding ten dollars, assist in the execution of the warrant, if able to do so.

Sec. 801—(1654). The charges of securing such baggage, clothing, or other goods, and of transporting and purifying the same, shall be paid by the owner or owners thereof, at such rates and prices as shall be determined by the board of health.

Sec. 802—(1655). Whenever the sheriff or other officer shall take possession of any houses, stores, lodgings or other necessities, or shall employ any nurse or attendants, as provided in this chapter, the several parties interested shall be entitled to a just compensation therefor, to be paid by the county in which such person or property shall have been so employed or taken possession of.

Sec. 803—(1656). Whenever any person confined in any common jail shall be attacked with any disease, which, in the opinion of the physician of the board of health, or of such other physicians as they may consult, shall be considered dangerous to the safety and health of the other prisoners, or of the inhabitants of the township, the board of health shall, by their order in writing, direct the removal of such person to some hospital or other place of safety, there to be provided for and securely kept, so as to prevent his escape, until their further orders; and if such prisoner shall recover from the disease, he shall be returned to such jail.

Sec. 804—(1657). If the person so removed shall have been committed by order of any court, or under any judicial process, the order for his removal, or a copy thereof, attested by the presiding member of said board of health, shall be returned by him, with the doings thereon, into the office of the clerk of the circuit court for the county; and no prisoner, removed as aforesaid, shall be considered

as thereby having committed an escape.

Sec. 805—(1658). Whenever any pestilence or contagious disease shall break out in any county poorhouse in this state, or in the vicinity thereof, and the physician to such county poorhouse, or such other physician as the superintendents may consult, shall certify that such pestilence or disease is likely to endanger the health of the persons supported at such poorhouse, the superintendents of such county poorhouse shall cause the persons there supported, or any of them, to be removed to some other suitable place in the same county, and there to be maintained and provided for at the expense of the county, with all necessary medical attendance and care, until they can safely be returned to such poorhouse, or otherwise discharged.

QUARANTINE.

Sec. 806—(1659). Any township may establish a quarantine ground in any suitable place, either within or without its own limits: Provided, that if such place shall be without its limits, the assent of the township within whose limits it may be established shall be first obtained therefor.

Sec. 807—(1660). Any two or more townships may, at their joint expense, establish a quarantine ground for their joint use, either within or without their own limits: Provided, that if such place shall be without their limits, they shall first obtain the assent of the township within whose limits the same may be.

Sec. 808—(1661). The board of health in each township in this state bordering upon Lake Michigan, Lake Superior, Lake Huron, Lake St. Clair, or Lake Erie, or upon any of the principal rivers or straits connecting together any of the said lakes, or bordering upon any navigable waters uniting with any of the said lakes, rivers, or straits, may from time to time establish the quarantine to be performed by all vessels arriving within the limits of such townships, and may make such quarantine regulations as they shall judge necessary for the health and safety of the inhabitants.

Sec. 809—(1662). The quarantine regulations so established shall extend to all persons, and all goods and effects, arriving in such vessels, and to all persons who may visit or go on board of the same.

Sec. 810—(1663). The said quarantine regulations, after notice shall have been given in the manner before provided in this chapter, shall be observed and complied with by all persons; and any person who shall violate any such regulations

shall forfeit a sum not less than five dollars and not more than five hundred dollars.

Sec. 811—(1664). The board of health in each township bordering upon any of the lakes, rivers, straits, or other navigable waters hereinbefore mentioned, may at all times cause any vessel arriving within the limits of the township, when such vessel or cargo thereof shall, in their opinion, be foul or infected, so as to endanger the public health, to be removed to the quarantine ground, and to be thoroughly purified, at the expense of the owners, consignees, or persons in possession of the same; any they may also cause all persons arriving in or going on board of such infected vessel, or handling such infected cargo, to be removed to any hospital under the care of the said board of health, there to remain under their orders.

Sec. 812—(1665). If any master, seaman, or passenger, belonging to any vessel, on board of which any infection may then be, or may have lately been, or which may have been at, or which may have come from, any port or place where any infectious disease prevails, that may endanger the public health, shall refuse to answer on oath, to be administered by any member of such board, such questions as may be asked him, relating to such infection or disease, by any member of the board of health of the township to which such vessel may come, such master, seaman, or passenger, so refusing, shall forfeit a sum not exceeding two hundred dollars; and in case he shall not pay such sum, he shall suffer six months' imprisonment.

Sec. 813—(1666). All expenses incurred on account of any person, vessel, or goods, under any quarantine regulations, shall be paid by such person, or by the owner of such vessel or goods, respectively.

SMALL-POX AND OTHER DANGEROUS DISEASES.

Sec. 814—(1667). The inhabitants of any township may establish within their township and be constantly provided with one or more hospitals for the reception of persons having the small-pox, or other disease which may be dangerous to the public health.

Sec. 815—(1668). All such hospitals shall be subject to the orders and regulations of the board of health, or a committee appointed by such board for that purpose; but no such hospital shall be established within one hundred rods of any inhabited dwelling house situated in an

adjoining township, without the consent of such adjoining township.

Sec. 816—(1669). If any person shall inoculate any other person, or inoculate himself, or suffer himself to be inoculated, with the small-pox, unless at some hospital licensed and authorized by law, he shall, for each offense, forfeit a sum not exceeding two hundred dollars.

Sec. 817—(1670). When any hospital shall be so establish, the physician attending the same, the persons inoculated or sick therein, the nurses, attendants, and all persons who shall approach or come within the limits of the same, and all such furniture and other articles as shall be used or brought there, shall be subject to such regulations as shall be made by the board of health, or of the committee appointed for that purpose.

Sec. 818—(1671). When the small-pox or any other disease dangerous to the public health shall break out in any township, the board of health shall immediately provide such hospital, or place of reception for the sick and infected, as they shall judge best for their accommodation and the safety of the inhabitants; and such hospitals and places of reception shall be subject to the regulations of the board of health, in the same manner as hereinbefore provided for established hospitals.

Sec. 819—(1672). The board of health shall cause such sick or infected persons to be removed to such hospitals or places of reception, unless the condition of the sick person be such as not to admit of removal without danger to life; in which case the house or place where the sick shall remain shall be considered as a hospital to every purpose before mentioned, and all persons residing in or in any way concerned with the same, shall be subject to the regulations of the board of health, as before provided.

Sec. 820—(1673). When the small-pox, or any other disease dangerous to the public health, is found to exist in any township, the board of health shall use all possible care to prevent the spreading of the infection, and to give public notice of infected places to travelers, by such means as in their judgment shall be most effectual for the common safety.

Sec. 821—(1674). If any physician or other person in any of the hospitals or places of reception before mentioned, or who shall attend, approach, or be concerned with the same, shall violate any of the regulations lawfully made in relation thereto, either with respect to himself, or his or any other person's property, the person so offending shall, for each of-

fense, forfeit a sum not less than ten nor more than one hundred dollars.

Sec. 822—(1675). Whenever any householder, hotel keeper, keeper of a boarding house, or tenant, shall know, or shall be informed by a physician, or shall have reason to believe that any person in his family, hotel, boarding house or premises, is taken sick with small-pox, cholera, diphtheria, scarlet fever, or any other disease dangerous to the public health, he shall immediately give notice, in writing, thereof to the health officer of the township, city or village in which he resides. Said notice shall state the name of the person sick, the name of the disease, if known, the name of the householder, hotel keeper, keeper of boarding house or tenant giving the notice, and shall, by street and number, or otherwise, sufficiently designate the house in which he resides or the room in which the sick person may be; and if he shall refuse or willfully neglect immediately to give such notice, he shall be deemed guilty of a misdemeanor, and upon conviction thereof he shall be punished by a fine of not exceeding one hundred dollars and costs of prosecution; or in default of payment thereof, by imprisonment not exceeding ninety days in the county jail, in the discretion of the court: Provided, that such fine or imprisonment shall not be enforced if the physician in attendance has given to the health officer or other officer hereinbefore mentioned an immediate notice of said sick person and true name of the disease, in accordance with the requirements of this section.

Sec. 823—(1676). Whenever any physician shall know that any person whom he is called to visit, or who is brought to him for examination, is infected with small-pox, cholera, diphtheria, scarlet fever, or any other disease dangerous to the public health, he shall immediately give notice thereof to the health officer of the township, city or village, in which the sick person may be; and to the householder, hotel keeper, keeper of a boarding house, or tenant within whose house or rooms the sick person may be. The notice to the officer of the board of health shall state the name of the disease, the name, age and sex of the person sick, also the name of the physician giving the notice; and shall, by street and number, or otherwise, sufficiently designate the house or room in which said person sick may be. And every physician and person acting as a physician, who shall refuse or neglect immediately to give such notice shall forfeit for each such offense a sum not less than ten nor more than fifty dollars: Provided,

that this penalty shall not be enforced against a physician if another physician in attendance has given to the health officer, or other officer hereinbefore mentioned, an immediate notice of said sick person, and the true name of the disease, in accordance with the requirement of this section.

Sec. 824—(1677). Every township may, at any meeting, make suitable provision for the inoculation of the inhabitants thereof with the cow-pox, under the direction of the board of health or the health officer of the township, and they shall raise all necessary sums of money to defray the expenses of such inoculation, in the same manner that other township charges are defrayed.

OFFENSIVE TRADES.

Sec. 825—(1678). The township board of every township, the president and trustees, or council, of every village, and the mayor and aldermen of every city, respectively, when they shall judge it necessary, shall, from time to time, assign certain places for the exercising of any trade or employment offensive to the inhabitants or dangerous to the public health; and they shall forbid the exercise thereof in places not so assigned; and all such assignments shall be entered in the records of the township, village, or city, and they may be revoked when the said township, village, or city officers may think proper.

Sec. 826—(1679). When any place or building so assigned shall become a nuisance by reason of offensive smells or exhalations proceeding therefrom, or shall become otherwise hurtful or dangerous to the neighborhood, or to travelers, and the same shall be made to appear on a trial, or the admission of the person exercising such trade or employment, before the circuit court for the county, upon a complaint made by the board of health, or by any other person, the said court may revoke such assignment, and prohibit the further use of such place, or building, for the exercise of either of the aforesaid trades or employments, and may cause such nuisance to be removed or prevented.

Sec. 827—(1680). Any person injured, either in his comfort or the enjoyment of his estate, by any such nuisance, may have an action on the case for the damages sustained thereby, in which action the defendants may plead the general issue and give any special matter in evidence.

BOARDS OF HEALTH IN CITIES AND VILLAGES.

Sec. 828—(1681). The mayor and aldermen of each incorporated city, and the president and council, or trustees of each incorporated village in this state, in which no board of health is organized under its charter, shall have and exercise all the powers and perform all the duties of a board of health as provided in this chapter, within the limits of the cities or villages, respectively, of which they are such officers. The provisions of this chapter, and the amendments thereto, shall, as far as applicable, apply to all cities and villages in this state, and all duties which are, by the provisions of this chapter, to be performed by the board of health of townships, or by the officers and inhabitants thereof, shall in like manner be performed by the board of health and the officers and inhabitants of such cities and villages, with a like penalty for the non-performance of such duties, excepting in cases where the charters of such cities and villages contain provisions inconsistent herewith.

FREE VACCINATION.

Act No. 146, laws of 1879.

Sec. 829—(1686). The board of health of each city, village and township, may at any time direct its health officer or health physician to offer vaccination with bovine vaccine virus to every child not previously vaccinated, and to all other persons who have not been vaccinated within the preceding five years, without cost to the persons [person] vaccinated, but at the expense of such city, village or township, as the case may be.

PREVENTION OF THE INTRODUCTION OF A DANGEROUS COMMUNICABLE DISEASE.

Act No. 45, laws of 1895.

Sec. 830—(1). No person sick with cholera, small-pox, diphtheria, scarlet fever or any other communicable disease dangerous to the public health, no corpse of a person dead from one of the above-named diseases, or from any other communicable disease dangerous to the public health, and no article which has been infected or is liable to propagate or convey and such disease, shall come or be brought into any township, city or village in Michigan, without the special permit of the board of health or of the health officer of said township, city or village, and then only under the supervision of the health

officer of said township, city or village.

Sec. 831—(2). Whoever shall violate the provisions of section one of this act, or the order of the health officer made in pursuance thereof, shall, on conviction, be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail not exceeding three months, or by both said fine and imprisonment.

PREVENTION OF THE SPREAD OF DANGEROUS COMMUNICABLE DISEASES.

Act No. 15, laws of 1891.

Sec. 832—(1). No person affected with small-pox, diphtheria or scarlet fever, shall willfully enter a public place or a public conveyance, nor shall in any way willfully subject another person to danger of contracting such disease; no person shall knowingly and willfully take, aid in taking, or cause to be taken, a child or other irresponsible person, while affected with any of the aforesaid diseases, into a public place or public conveyance, nor in any way knowingly and willfully subject another person to danger of contracting any one of the aforesaid diseases from such child or irresponsible person; no person shall knowingly and willfully subject another person to danger of contracting any of the aforesaid diseases from the body of a person deceased therefrom; no person shall in any way knowingly and willfully expose, aid in exposing, or cause to be exposed a child or other irresponsible person, to danger of contracting any one of the aforesaid diseases: Provided, that

this section shall not apply to necessary transportation of patients suffering from such diseases in proper vehicles provided for such purposes.

Sec. 833—(2). Whoever shall violate any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or by imprisonment in the county jail not less than twenty days, nor more than ninety days.

THE PREVENTION OF BLINDNESS IN THE NEWLY BORN.

Act No. 43, laws of 1895.

Sec. 834—(1). Should one or both eyes of an infant become inflamed or swollen, or reddened, or should any pus or secretion form in the eyes or upon the edge of the lids, at any time within two weeks after birth, it shall be the duty of any midwife, nurse or other person having charge of such infant, to report in writing within six hours after discovery of such inflammation, redness or formation of pus, or secretion, to the local health officer or some legally qualified practitioner of medicine in the city, town or district in which such case shall occur, the fact that such inflammation, swelling or redness or accumulation in the eyes exists.

Sec. 835—(2). Any failure to comply with the provisions of this act shall be punished by a fine not to exceed one hundred dollars or imprisonment not to exceed six months, or both such fine and imprisonment in the discretion of the court.

THE REGISTRATION OF DEATHS.

Act No. 217, laws of 1897.

Sec. 836—(1). The body of no person whose death occurs in the state shall be interred, deposited in a vault or tomb or otherwise disposed of, or removed from the township, village or city in which the death occurred, until a permit for burial or removal shall have been properly issued by the clerk of the township, village or city in which the death occurs, who shall be the registrar of deaths: Provided, that in cities that have, or shall institute, a system of immediate registration of deaths by the board of health, the health

officer or secretary of the board of health shall act as registrar of deaths under this act, in lieu of the city clerk, and shall in all respects conform to its provisions.

Sec. 837—(2). Whenever any person shall die, the undertaker, householder, relative, friend, manager of institution, sexton or other person superintending the burial of said deceased person, shall cause a certificate of death to be filled out with all of the personal and family particulars required in section three of this act, and attested by the signature of a relative or some competent person acquainted with

the facts. The physician who attended the deceased person during his last illness, shall fill out the medical certificate of cause of death, which death certificate shall be delivered to the registrar within the time designated, if any, by the local board of health. In case of death without the attendance of a physician, or if it shall appear probable that the deceased person came to his death by unlawful or suspicious means, then the registrar shall refer the certificate to the health officer or coroner for immediate investigation and report prior to issuing the permit: Provided, that when the health officer is not a physician, and only in such case, the registrar is authorized to insert the facts relating to the cause of death from statements of relatives or other competent testimony. Upon the presentation of a certificate of death properly filled out and signed, the registrar shall issue a permit for the burial or removal of the body and shall immediately record the death in the register of deaths, numbering all certificates consecutively in the order in which they are received, beginning with number one, for the first death that occurs in each year. In deaths from dangerous communicable diseases, burial or removal permits shall be granted by the registrar only in accordance with the rules of the local board of health and of the state board of health relating thereto.

Sec. 838—(3). The certificate of death shall contain the following facts concerning each decedent:

First Part—Personal and family particulars:—Date of death, stating year, month and day; full name; sex; age, in years, months and days, if known, or the approximate age if the exact age cannot be ascertained; color; whether single, married, widowed, or divorced; if married, age at first marriage, and parent of how many children, of whom how many are living; place of death, giving ward, street and number if in a city; birthplace (state or country if not born in Michigan); occupation; full names of both parents; birthplaces of both parents; proposed place and time of burial or place and route for removal of body; signature and address of reporter certifying to above facts; signature and address of undertaker.

Second Part—Medical certificate of cause of death:—Name of disease; immediate cause of death, together with contributory causes or complications, if any; duration of each cause; date last seen by medical attendant, or fact of no medical attendance; in violent deaths, statement whether death resulted from accident, sui-

cide or homicide; whether a post mortem was held and results thereof, signature and address of medical attendant, health officer or coroner certifying to cause of death: Provided further, said certificate and permit shall not be required before burial in townships where it is impracticable to obtain the same within a reasonable time after death, but in all such cases, said certificate shall be obtained within ten days after death.

Sec. 839—(4). Registers of deaths shall be supplied by the secretary of state to registrars for recording certificates of death, together with all blanks required for the execution of this act. On the fourth day of each month the registrar of each township, village and city shall promptly transmit to the secretary of state, in an official envelope provided by the state and stamped with one full letter stamp, all the certificates of death filed in his office during the [preceding] preceding calendar month, with a statement of the number of deaths so reported: Provided, that the registrars of cities, may in lieu of the original certificates of deaths transmit certified copies of the same to the secretary of state. If no deaths occurred, he shall make a return to that effect upon a postal card blank. The certificates of death returned to the secretary of state shall be permanently preserved, bound and indexed by him; the statistical data therein contained shall be compiled and published in the annual registration report, and monthly bulletins shall be issued showing the mortality of the state in detail, the prevalence of important causes of death, and such other information as shall be of public interest and sanitary value. The registrar shall also send a transcript monthly to the clerk of his county containing a record of all of the deaths entered upon his register during the preceding calendar month for entry upon the county record of deaths. All certificates of death, local registers or county records authorized under this act or certified copies thereof shall be prima facie evidence in all courts and for all purposes of the facts recorded therein.

Sec. 840—(5). Registrars of deaths shall receive twenty-five cents for the proper record and return of each death including the issue of a burial or removal permit. The secretary of state shall certify to each registrar annually the number of properly executed certificates of deaths received from him for the preceding calendar year which certified statements shall be received by the treasurer of the county in which the registration district is situated, and payment made by him in

accordance with the rate fixed in this section: Provided, that the secretary of state shall not include in the number of certificates certified for payment any imperfect certificates or those not transmitted promptly as required by section four of this act: Provided further, that the registrars of cities having a population of ten thousand inhabitants or more by the last United States or state census, shall receive no compensation other than their salaries for the duties required by this act.

Sec. 841—(6). Any official failing or refusing to perform his duty under this act, or any undertaker violating any of its provisions, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than five dollars and not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding thirty days, or suffer both fine and imprisonment at the discretion of the court. Local registrars shall see that the provisions of this act are enforced in their jurisdictions; the secretary of state shall be charged with the general execution of the law and shall have supervisory power over registrars, to the end that this act shall be uniformly and effectually executed throughout the state. Prosecuting attorneys shall, upon the request of a local registrar or of the secretary of state, assist in the enforcement of the provisions of this act.

Sec. 842—(7). All of that part of act number one hundred and ninety-four of eighteen hundred and sixty-seven, as amended by act number one hundred and twenty-five of eighteen sixty-nine, relat-

ing to the collection and return of deaths and inconsistent with this act, is hereby repealed: Provided, that the returns of deaths for the calendar year eighteen hundred and ninety-seven shall be duly collected and compiled under the provisions of said act: Provided further, that it shall be the duty of the local boards of health to see that the provisions of this act are enforced: Provided further, that in sparsely settled townships, having an average density of population of less than five (5) persons per square mile at the time of the last preceding United States or state census, the returns of deaths shall continue to be made under said former act, and the provisions of this act shall go into operation when the aforesaid density of population has been reached.

REGISTRATION OF PHYSICIANS.

Sec. 843. Act No. 167, laws of 1883, requires all who are to be legally-qualified practitioners of medicine, surgery or midwifery to file with the clerk of the county in which they propose to practice, a sworn statement relative to the opportunities they have had for gaining a knowledge of their profession. The act makes it the duty of the health officer and the supervisor in each township, village, city, and ward to enforce this law. As amended by Act 268, laws of 1887, the law requires supervisors annually to collect and record with the clerk of the township, city, or village, the facts relative to all physicians practicing within their jurisdiction, and requires the clerk to make report to the secretary of the state board of health.

THE COMPULSORY EDUCATION OF CHILDREN, AND PUNISHMENT OF TRUANCY.

Act No. 95, approved April 26, 1895.

Sec. 844—(1). (As amended 1897.) Every parent, guardian or other person in the state of Michigan having control and charge of any child or children between the ages of eight and sixteen years and in cities between the ages of seven and sixteen years, shall be required to send such child or children to the public school for a period of at least four months in each school year, except that in cities having a duly constituted police force, the attendance at school shall not be limited to four months beginning on the first Monday of

the first term commencing in his or her district after September first of each year. And such attendance, in cities, shall be consecutive until each and every pupil between the ages of seven and sixteen years shall have attended school the entire school year previous to the thirtieth day of June in each school year: Provided, if it be shown that any such child or children are being taught in a private school in such branches as are usually taught in the public schools, or have already acquired the ordinary branches of learning taught in public schools, or if the person

or persons in parental relation to such child or children present a written statement that such child or children is or are physically unable to attend school, the truant officer or district board may employ a reputable physician to examine such child or children, and if such physician shall certify that such child or children is or are physically unable to attend school, such child or children shall be exempt from the provisions of this act. Provided further, that the school boards in cities may on the recommendation of the superintendent of schools and of the truant officer, exempt children over fourteen years of age from attendance at school for either a part or for the whole of the time until they shall severally reach the age of sixteen years, for any reason that said boards may deem sufficient: And further provided, that in case a public school shall not be taught for four months during the time herein specified, within two miles by the nearest traveled road, of the residence of any such child or children, such child or children shall not be liable to the provisions of this act.

Sec. 845—(2). The district board or board of education in each school district in the state which has been organized as a graded school district, or as a township district according to the laws of the state, shall, at its first meeting, after this law goes into effect, and previous to the tenth day of September of each year, appoint a truant officer for the term of one year from and after the first Monday of September of each year. In townships whose districts have been organized under the primary school law, the chairman of the township board of school inspectors shall be the truant officer and shall perform all the duties of truant officer, as provided for in this act, so far as the provisions of this law applies to the territory over which he has jurisdiction: Provided, that in cities having a duly organized police force, it shall be the duty of the police authority, at the request of the school authorities, to detail one or more members of said force to perform the duties of truant officer. The compensation of the truant officer shall be fixed in graded school districts by the board which appoints, and in townships by the township board and in no case shall such compensation be less than one dollar and fifty cents per day for time actually employed under direction of the school board in performance of his official duties. The compensation of truant officers shall be allowed and paid in the same manner as incidental expenses are paid by such boards.

Sec. 846—(3). It shall be the duty of

the truant officer to investigate all cases of truancy or non-attendance at school and render all service within his power to compel children to attend school and when informed of continued non-attendance by any teacher or resident of the school district he shall immediately notify the persons having control of such children that, on the following Monday, such children shall present themselves with the necessary text books for instruction in the proper school or schools of the district. The notice shall inform said parent or guardian that attendance at school must be consecutive at least eight half days of each week until the end of that term, except in cities having a duly constituted police force, attendance in school shall be continuous. In case any parent, guardian or other person shall fail to comply with the provisions of this act, he shall be deemed guilty of a misdemeanor and shall, on conviction, be liable to a fine of not less than five dollars, nor more than fifty dollars, or by imprisonment in the county or city jail for not less than two nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Sec. 847—(4). In all city school districts in this state having a school census of five hundred or more pupils, the school board or officers having in charge the schools of such district may establish one or more ungraded schools for the instruction of certain children, as defined and set forth in the following section. They may, through their truant officer and superintendent of schools, require such children to attend said ungraded schools, or any department of their graded schools, as said board of education may direct.

Sec. 848—(5). The following classes of persons between the ages of eight and fourteen years, and in cities between the ages of seven and sixteen years, shall be deemed juvenile disorderly persons, and shall, in the judgment of the proper school authorities, be assigned to the ungraded school or schools as provided in section four of this act: Class one, habitual truants from any school in which they are enrolled as pupils; class two, children who, while attending any school, are incorrigibly turbulent, disobedient or insubordinate, or are vicious or immoral in conduct; class three, children who are not attending any school and who habitually frequent streets and other public places, having no lawful business, employment or occupation.

Sec. 849—(6). It shall be the duty of the truant officer, in case of a violation of this law, within one week after having

given the notice to the parent or guardians as specified in section three, to make a complaint against said parent, guardian or other person having the legal charge and control of such child, before a justice of the peace in the city, village or township where the party resides, except in cities having recorder's or police court, for such refusal or neglect; and said justice of the peace, police judge, or recorder's court shall issue a warrant upon said complaint and shall proceed to hear and determine the same, and upon conviction thereof said parent, guardian or other person, as the case may be, shall be punished according to provisions of section three of this act. It shall be the duty of all school officers, superintendents or teachers, to render such assistance and furnish such information as they have at their command, to aid said truant officer in the fulfillment of his official duties.

Sec. 850—(7). When, in the judgment of school boards of primary and township school districts or the superintendent of city schools and the truant officer, it becomes certain that all legal means have been exhausted in their attempts to compel the attendance at school of a juvenile disorderly person, the truant officer shall,

in case the person in parental relation to the child neglects or refuses to do so, make a complaint against such juvenile disorderly person before a court of competent jurisdiction that said child is a juvenile disorderly person as described in section five of this act. The justice of the peace or court shall issue a warrant and proceed to hear such complaint; and if said justice of the peace or court shall determine that said child is a juvenile disorderly person within the meaning of this act, then said justice of the peace or court shall thereupon, and after consultation with the county agent of corrections and charities, sentence such child, if a boy, to the Industrial School for Boys at Lansing for a term not extending beyond the time when said child shall arrive at the age of seventeen years unless sooner discharged by the board of control of said Industrial School for Boys; or, if a girl, to the Industrial Home for Girls at Adrian, for a term not extending beyond the time when said child shall arrive at the age of seventeen years, unless sooner discharged by the board of control of said Industrial Home for Girls: Provided, however, that such sentence shall, in case of the first offense, be suspended.

AN ACT TO PREVENT CRIME AND PUNISH TRUANCY.

Act No. 222, laws of 1887.

Sec. 851—(1). (As amended 1897.) That every boy between the age of ten and sixteen years, or any girl between the age of ten and seventeen years, who shall frequent or be found lounging about saloons, disreputable places, houses of ill fame, or who shall be an inmate or resident or a member of a family who [reside] resides in any house of ill fame, or conduct any other disreputable place, or who shall frequent other rooms or places where dissolute and disreputable people congregate, or where intoxicating liquors are kept for sale, or who shall, against the command of his or her parents or guardian, run away or willfully absent himself or herself from the school he or she is attending, or from any house, office, shop, firm or other place where he or she is residing or legitimately employed with labor, or who shall against such command of his or her parents or guardian or for any immoral, disorderly or dishonest purposes be found lounging upon public streets, highways or other public resorts or at places of

amusement of dissolute or improper character, or who shall against any such command or for any [such] disorderly or dishonest purposes attend any public dance, skating rink, or show shall be deemed guilty as a truant or disorderly child.

Sec. 852—(2). (As amended 1897.) Upon the complaint upon oath and in writing made before any justice of the peace, police justice, or other criminal magistrate by the parent or guardian or other person knowing of the facts of his own knowledge, that an girl between the age of ten and seventeen years, or that any boy between the age of ten and sixteen years, or by the supervisors of any township, or mayor of any city, or president of any village, and in any city of over eight thousand population by the chief of police, mayor or other person knowing of the facts of his own knowledge that such minor has been guilty of any of the acts specified in section one of this act, such justice or other criminal magistrate shall issue a warrant for the arrest of such

minor, and upon conviction such minor, if a boy, may be sentenced by such justice or criminal magistrate to the Industrial School for Boys at Lansing, and if a girl, to the Industrial Home for Girls at Adrian, boys until eighteen years of age, and girls until twenty-one years of age, unless sooner discharged according to law: Provided, that no person or persons shall be sent to said Industrial School for Boys or to the Industrial Home for girls until the sentence therein has been submitted to and approved by one [of] the judges of the recorder's court of the city of Detroit, or judge of the superior court of the city of Grand Rapids,

or any circuit judge of the county in which such conviction shall be had.

Sec. 853—(3). The same proceedings shall be had upon the trial of any person charged with being guilty of any of the offenses mentioned in section one of this act before the justice before whom such person is brought as are had in trials for misdemeanor, as far as the same are applicable, and the state agent for the care of juvenile offenders of the county wherein such offenders may be on trial shall have authority and take the same action in the premises as is provided by act number one hundred and seventy-one of the session laws of eighteen hundred and seventy-three of this state.

IMPOUNDING OF ANIMALS.

Act No. 248, laws of 1897. Secs. 3068-3079, Howell's statutes.

Sec. 854—(1). It shall not be lawful for any cattle, horses, mules, sheep, swine, or goats to run at large in any public street, lane, alley, park, place, or highway in any city or village within this state having a population of seven thousand or more inhabitants; and it shall be the duty of every commissioner of highways, pound-master, marshal, deputy marshal, policeman, and constable of any such city or village to seize and take into his possession as herein provided, and keep until disposed of according to law, any animal so found running at large: Provided, the city of Ludington be exempt from the operations of this act.

Sec. 855—(2). It is hereby made the duty of the common council or board of trustees of every such city or village to provide one or more suitable and convenient pound or pounds, and to appoint one or more pound-masters who shall have charge thereof, and such pound-master or other person having charge of such pound shall receive and keep therein any animal mentioned in the first section of this act, that may have been or may be found running at large contrary to said section upon the request of any person. And it shall be lawful for any person to seize and take into custody and retain till disposed of as required by law, any animal mentioned in said first section of this act, which may be trespassing upon premises owned or occupied by such person, or such animal may be driven to and kept in said pound as herein provided, and any inhabitant of any such city or village may take into custody till dis-

posed of as required by law, any animal found running at large contrary to said first section of this act, if at the time there shall not be kept and maintained within such city or village a suitable pound within a distance of not more than two miles from the place where such animal may be found, or if there shall not be a pound-master in charge thereof, who shall receive and keep the same as herein provided.

Sec. 856—(3). Whenever any such officer or person shall seize and take into his possession any animal under the preceding sections, such animal shall be received and kept in such pound, if there shall be one, and if not the same may be kept by any such officer or person in any other suitable place, and if such animal shall not be claimed and the fees hereinafter provided for paid within two days thereafter, said pound-master or other person in charge of said pound, if such animal shall have been received at such pound, and if not, then the person by whom such animal was seized or taken into custody, shall make immediate complaint in writing, stating the name of the owner of such animal, if known to him, and the facts, to the recorder or to any justice of the peace of any such city or village, and such recorder or justice shall thereupon have jurisdiction to hear and determine such matter, and shall thereupon proceed in the same manner as in civil action, except as especially changed in this act, and shall forthwith issue a summons under his hand, directed to the owner if he shall have been named in said complaint, and stating the fact that such seizure has been made, and requiring the

owner of such animal, or any party having an interest in the same, to show cause before such recorder or justice, at a time and place to be specified in such summons, why such animal should not be sold and the proceeds applied as directed by this act, and such time shall not be less than six nor more than twelve days from the issuing of said summons. The said summons may be served by any marshal, deputy marshal, or constable of said city or village, or by any elector thereof authorized so to do by the said recorder or justice, in writing thereon. Such service shall be made by delivering a copy thereof to the owner, if named in said summons, and if he can be found in said city or village six days before the return day thereof; and if the owner shall not be named in said summons, or if he cannot be found, then said summons shall be served by posting copies thereof in at least three public and conspicuous places in said city or village, at least five days before the return day thereof, and one of said places shall be in the office of the recorder or clerk of such city or village. At the time and place appointed for the return of said summons, the officer or person by whom such complaint was made shall appear, and any party or persons owning or having an interest in said animal shall be allowed by said recorder or justice of the peace to appear in said proceeding, and on his filing with said recorder or justice an answer under oath, subscribed by him or by his agent, denying any or all of the facts in said complaint, an issue shall be deemed joined in the said proceeding, and the subsequent proceedings shall be as in civil actions so far as they can be except as otherwise provided in this act, and it is hereby made the duty of the city or village attorney of all cities and villages included within this act to appear and conduct all proceedings under this act on behalf of the person making such complaint. If no one shall appear to show cause and the said summons shall be returned duly served, or if the jury, or recorder or justice shall find after a trial that no sufficient cause is shown why such sale should not be made, as directed by this act, then said recorder or justice shall issue his warrant under his hand, directed to any marshal, deputy marshal or constable of the said city or village, commanding him to sell the said animal at public auction for the best price he can obtain therefor, and make return thereof to the said recorder or justice at a time and place therein specified, not less than ten nor more than twenty days thereafter. The

said sale shall be on the like notice as on constable's sale on civil process, and the said sheriff, deputy sheriff or constable shall make return as required by the said warrant, and pay the proceeds of said sale to said recorder or justice. The said recorder or justice shall thereupon adjudge the costs of said proceedings, the same amounts being allowed as in civil actions, and in addition he shall allow to the officer or person making such seizure, for every horse, mule or colt, one dollar; for every cow, calf or other cattle, each fifty cents, and for every goat, sheep or swine, twenty-five cents, together with the actual damages sustained by such person by reason of the trespass or breaking of such animal into his premises, and compensation to such person or officer for the care and keeping of such animals from the time of the seizure thereof to the sale at the rate specified in the next section of this act, and the said recorder or justice shall be allowed the sum of one dollar for each animal so sold, and the marshal, deputy marshal or constable, the same fees as for service of a summons and execution in civil actions. If, after paying the sums aforesaid, there shall be any surplus of the proceeds of said sale, the said recorder or justice shall pay the same to the owner or person establishing before him, on the return of such summons, or at such other time as he shall appoint, the right to the same. If no person shall claim said surplus within one year after such seizure, the said recorder or justice shall pay the same to the treasurer of such city or village for the benefit of the contingent fund. If such owner or person interested shall not appear and demand such surplus within said year, he shall be forever precluded from recovering any part of such moneys, and the receipt of the treasurer of said city or village, given at any time after the expiration of said year, shall be a full discharge to said recorder or justice for the same.

Sec. 857—(4). The owner of any animal which shall have been seized or impounded under and pursuant to the foregoing provisions may at any time before the making of the complaint hereinbefore provided for, demand and shall be entitled to the possession of such animal upon the payment to the poundmaster or the person in charge of such pound, if such animal shall have been impounded, and if not, then upon payment to the person or officer who shall have seized or taken such animals into his possession, the fees provided for in the preceding sections for the seizure of such animal; and if such animal shall have been impound-

ed, the farther fee of fifty cents for every horse, mule, colt, cow, calf, or other cattle, and twenty-five cents for every goat, sheep or swine, which said fee shall belong to such pound-master or person in charge of such pound, and the farther sum of one dollar per day as compensation for keeping every such horse, mule or colt, and seventy-five cents per day for every cow, calf or other cattle, and fifty cents per day for every goat, sheep or swine for each day since and including the day such animal was seized, impounded or taken into possession as aforesaid. At any time after the making of said complaint and before the sale of said animal, the owner thereof may make demand and claim for such animal before the recorder or justice before whom said proceedings shall have been commenced; and upon making satisfactory proof of ownership of said animal before said recorder or justice, and upon paying to him the fees and compensation for keeping such animal hereinbefore in this section provided for, and [all] other fees and expenses that shall have accrued up to the time of making such demand and proof, he shall be entitled to the custody and possession of such animal. And the said recorder or justice shall fix and determine the amount of the fees, expenses and compensation in accordance with the provisions of this act, and shall pay the same to the officer or person entitled thereto.

Sec. 858—(5). In case the animal so seized under the foregoing provisions of this act shall have been so running at large by the wilful act of any other person than the owner, such person shall be liable to the owner in a penalty not less than twenty-five dollars and not more than one hundred dollars, which penalty may be recovered by such owner for his benefit in an action on the case in any court of competent jurisdiction.

Sec. 859—(6). An appeal may be taken by either party who shall have appeared and contested in said proceeding before such recorder or justice to the circuit court for the county, and all the laws relating to appeals from judgments of justices' courts and the jurisdiction, powers, and duties of circuit courts, to hear and determine such appeals, and the proceedings therein shall be applicable to appeals under this act, so far as the same can be applied and are consistent with this act. But such appeal can only be taken from the finding or determination that cause exists or does not exist for the sale aforesaid; and such appeal when made by the [a] claimant shall not be

effectual for any purpose unless the bond required on appeals to the circuit court contains a clause that in case the finding or determination shall be affirmed, the claimant will pay all such sums as the court shall determine and adjudge for the costs, penalties and allowances so as aforesaid, and after the approval by the recorder or justice of such bond, said recorder or justice shall forthwith direct the sale not to be had, and shall order the said animal to be delivered to the appellant, if it shall appear to him that said appellant is the owner, or is entitled to the possession thereof.

Sec. 860—(7). The pound-master or other person in charge of said pound shall purchase all necessary supplies for the sustenance of all animals impounded, and all animals impounded or seized under this act shall be supplied with suitable food and drink for their sustenance; and such pound-master or other person in charge of the pound shall keep a record in a book kept for that purpose and which shall at all reasonable times be open for public inspection, of the time when each animal was received into such pound, and the time when discharged therefrom, and of the name of the person to whom the same was delivered, and also a record of all moneys paid to him.

Sec. 861—(8). The provisions of this act shall not be construed to deprive the party claiming the ownership of said property from bringing his action in replevin for the recovery of the same in case the same has been unlawfully seized.

Sec. 862—(9). (Added 1881, act 196.) If any person shall rescue any animal mentioned in this act, when impounded, or while being driven or taken to the pound or other place of custody by any officer or person in charge of such animals, or while such animals are shut up by and in the custody of any person for trespassing upon premises, or for unlawfully running at large under this act, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not more than fifty dollars nor less than ten dollars, with costs of prosecution, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

Sec. 863—(10). (Added 1881. Ib.) If any person shall take any animal not running at large contrary to law from the stable, pasture, or any enclosure or other place where such animals are lawfully and rightfully kept, or may be, or drive, or let them out, or untie, or unloose the same, or shall knowingly seize or take the

same from the custody of any person driving or taking the same on the public highway or streets to or from a pasture or to or from any other place where the same may be lawfully taken or driven, for the purpose of impounding such animals contrary to law, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not more than ten dollars nor less than five dollars, with costs of prosecution, or by imprisonment in the county jail not exceeding ten days, or by both such fine and imprisonment in the discretion of the court.

Sec. 864—(11). (Added 1881. Ib.) The distraining and impounding of animals under this act shall be governed by chapter two hundred and fourteen of the compiled laws of eighteen hundred and seventy-one, for "Distraining and replevying beasts," except as otherwise provided in this act. (Secs. 8355-8376, Howell's statutes).

Sec. 865—(12). (Added 1881. Ib.) In all criminal matters under this act, it shall be the duty of the city attorney to appear before the magistrate entering [entertaining] the complaint and act as counsel on behalf of the people of this state, and in case of his absence, neglect, or refusal to so act on request of the magistrate, any attorney at law, on re-

quest of such magistrate, may act as such counsel for the people.

VICIOUS DOGS.

Sec 3 of Act No. 161, laws of 1850, being Sec. 2120 of Howell's statutes.

Sec. 866—(3). The owner or keeper of any dog which has been chasing, worrying, wounding or killing any sheep, lamb, swine or cattle (not the property of such owner or keeper), out of his enclosure, or which has assaulted or bitten any person while peaceably walking or riding out of the enclosure of the owner or keeper, shall, within forty-eight hours after having received notice thereof in writing, cause such dog to be killed. For every neglect so to do he shall forfeit the sum of three dollars, and the further sum of one dollar and fifty cents for every forty-eight hours thereafter, until such dog shall be killed, unless it shall satisfactorily appear to the court before which a suit shall be brought for the recovery of said penalty, that it was not in the power of such owner or keeper to kill such dog. But no recovery shall be had, unless it shall satisfactorily appear that such dog has done the mischief of which such owner or keeper has had notice as aforesaid.

THE LAW OF THE ROAD, AND THE REGULATION OF PUBLIC CARRIAGES.

Chapter 30, Secs. 1456-1461, Howell's statutes.

Sec. 867—(1456). (1). Whenever any persons shall meet each other on any bridge or road, traveling with carriages, wagons, carts, sleds, sleighs, or other vehicles, each person shall seasonably drive his carriage or other vehicle to the right of the middle of the traveled part of such bridge or road, so that the respective carriages, or other vehicles aforesaid, may pass each other without interference.

Sec. 868—(1457). (2). Every person offending against the provisions of the preceding section shall, for each offense, forfeit a sum not exceeding twenty dollars, and shall also be liable to the party injured for all damages sustained by reason of such offense: Provided, that proceedings shall be commenced for the recovery of such forfeiture within three months after

the offense shall have been committed, and any action for such damages shall be commenced within one year after the cause of action shall have accrued.

Sec. 869—(1458). (3). No person owning, or having the direction or control of any coach, or other carriage or vehicle, running or traveling upon any road in this state, for the conveyance of passengers, shall employ, or continue in employment, any person to drive such coach, carriage, or other vehicle, who is addicted to drunkenness, or to the excessive use of intoxicating liquors; and if any such person shall violate the provisions of this section, he shall forfeit at the rate of five dollars per day for all the time during which he shall have kept such driver in such employment.

Sec. 870—(1459). (4). If any driver, whilst actually employed in driving such coach,

carriage, or vehicle, shall be guilty of intoxication, it shall be the duty of the owner or person having the charge or control of such coach, carriage, or other vehicle, on receiving written notice of the fact, signed by any passenger who witnessed the same, and certified by him under oath, forthwith to discharge such driver from such employment; and every person who shall retain or have in such service within six months after the receipt of such notice, any driver who shall have been so intoxicated, shall forfeit at the rate of five dollars per day for all the time during which he shall keep any such driver in such employment after receiving such notice.

Sec. 871—(1460). (5). No person driving any carriage or vehicle for the conveyance of passengers for hire upon any road or highway in this state, with or without passengers therein, shall run his horses, or cause or permit them to run, upon any occasion, or for any purpose whatever; and every person who shall offend against the provisions of this section, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or both, at the discretion of the court.

Sec. 872—(1461). (6). It shall not be lawful for the driver of any carriage used for the conveyance of passengers for hire, to leave the horses attached thereto, while any passenger remains in or upon the same, without making such horses fast with a sufficient halter, rope, or chain, or without some suitable person to take the charge and guidance of them, so as to prevent their running; and if any such driver shall violate the provisions of this section, he shall forfeit a sum not exceeding twenty dollars; but no prosecution

shall be commenced therefor after the expiration of three months from the time of committing the offense.

Sec. 873—(1462). (7). The owners of every carriage running or traveling upon any turnpike road or public highway, for the conveyance of passengers for hire, shall be liable, jointly and severally, to the party injured, in all cases, for all injuries and damage done by any person in the employment of such owners as a driver, while driving such carriage, to any person, or to the property of any person, whether the act occasioning such injury or damage be willful, negligent, or otherwise, in the same manner as such driver would be liable.

USE OF BELLS ON TEAMS AND SLEIGHS IN THE UPPER PENINSULA.

Act No. 19, laws of 1885.

Sec. 874—(1). If any person or persons shall drive or cause to be driven, faster than on a walk, on any public highway or private road used by the public in this state, or on any street of an incorporated city or village therein, any sleigh or cutter or other vehicle used as a substitute for either, drawn by horses or mules, or by a horse or mule, during the season of sleighing without having bells on at least one of the animals so used, or without having bells attached to such sleigh, cutter, or other vehicle so drawn, in such a manner as to warn foot travelers of its approach, he or they shall, on conviction thereof, be fined in a sum not exceeding twenty-five dollars, or in default of payment of said fine shall be imprisoned in the county jail for a period not exceeding ten days, in the discretion of the court before whom the conviction is had: Provided, that the provisions of this act shall apply to the upper peninsula alone.

PUBLIC PEACE AND MORALITY.

CARRYING OF CONCEALED WEAPONS.

Act No. 129, laws of 1887. Howell's statutes Sec. 9113a.

Sec. 875—(1). That it shall be unlawful for any person, except officers of the peace and night-watches legitimately employed as such, to go armed with a dirk, dagger, sword, pistol, air-gun, stiletto, metallic knuckles, pocket-billie, sand-bag, skull-cracker, slung-shot, razor, or other offensive and dangerous weapon or instrument concealed upon his person.

AN ACT TO PROMOTE MORALITY AND TO PREVENT CRIME.

Act No. 209, laws of 1885. Howell's statutes 9314f-9314h.

Sec. 876—(1). (Amended 1889.) It shall be unlawful for any person to post, place, or display on any sign-board, bill-board, fence, building, sidewalk or other object, or in any street, road or other public place, any sign, picture, painting, or other representation of murder, assassination, stabbing, fighting, or of any personal violence, or of the commission of any

crime, or any representation of the human form in an attitude or dress which would be indecent in the case of a living person, if such person so appeared in any public street, square or highway.

Sec. 877—(2). That it shall be unlawful for any person or persons, for any purpose whatever, to take or convey to, or to employ, receive, detain or suffer to remain in any house of prostitution, house of ill-fame, bawdy-house, house of assignation, or in any house or place for the resort of prostitutes or other disorderly persons, any female of the age of seven-teen years or under.

HOUSES OF ILL FAME, ETC.

Howell's statutes 9286.

Sec. 878. Every person who shall keep a house of ill-fame, resorted to for the purpose of prostitution or lewdness, and every person who shall solicit, or in any manner induce a female to enter such house for the purpose of becoming a prostitute, or shall by force, fraud, deceit, or in any like manner procure a female to enter such house for the purpose of prostitution, or of becoming a prostitute, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison not more than five years, or in the county jail not more than one year, or by fine not exceeding one thousand dollars, or by both such fine and imprisonment, in the discretion of the court.

AN ACT TO PUNISH DRUNK AND INTOXICATED PERSONS.

Act No. 4, laws of 1887. Howell's statutes 9314i.

Sec. 879—(1). Any person who shall be drunk or intoxicated in any hotel, tavern, inn or place of public business, or in any railway car, or street car, or in any street, alley, lane, highway, or railway, or other public place, or in any public assemblage of people, shall, on conviction thereof before any court of competent jurisdiction, be punished by a fine not exceeding twenty dollars and the costs of prosecution, or by imprisonment in the common jail of the county not exceeding thirty days, or both such fine and imprisonment in the discretion of the court.

DISORDERLY PERSONS.

Act No. 264, laws of 1889. Howell's statutes 1997a.

Sec. 880—(1). All persons who run away, or threaten to run away, and leave their wives or children a burden on the public; all persons who, being of sufficient ability, refuse or neglect to

support their families, or who leave their wives or children a burden on the public; all persons pretending to tell fortunes, or with whom lost or stolen goods are found; all common prostitutes; all keepers of bawdy houses, or houses for the resort of prostitutes; all drunkards, tipplers, gamblers; all persons knowingly selling or giving intoxicating liquors to drunkards and tipplers or other disorderly persons, or who do, for the most part, support themselves by gaming; all jugglers, common showmen, and mountebanks, who exhibit or perform for profit any puppet show, wire or rope dancing, or other idle show, acts or feats; all persons who keep in any highway, or in other public place, any gaming table, wheel of fortune, box, machine, instrument or device for the purpose of gaming; all persons who go about with such table, wheel of fortune, box, machine, instrument or device, exhibiting tricks or gaming therewith; all persons who play in the public streets or highways with cards, dice, or any instrument or device for gaming, and all vagrants, shall be deemed disorderly persons: Provided, that in cases under this act triable by a justice of the peace, the person complained of shall be entitled to a jury trial, as provided in cases of misdemeanor cognizable by justices of the peace.

FURNISHING TOBACCO TO MINORS.

Act No. 77, laws of 1889. Howell's statutes 9122cd.

Sec. 881—(1). It shall not be lawful for any person by himself, his clerk or agent, to sell, give or furnish any cigar, cigarette, cheroot, chewing or smoking tobacco, or tobacco in any form whatsoever, to any minor under seventeen years of age, unless upon the written order of the parent or guardian of said minor.

Sec. 882—(2). Any person who shall willfully violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than fifty dollars, or by imprisonment in the county jail for a term of not less than ten days nor more than thirty days, or by both such fine and imprisonment in the discretion of the court.

IMPROPER LANGUAGE IN THE PRESENCE OF WOMEN OR CHILDREN.

Act No. 219, public acts of 1897.

Sec. 883—(1). It shall be unlawful for any person or persons to use any indecent, immoral, obscene, vulgar or insult-

ing language in the presence or hearing of any woman or child within the limits of any township, village or city in the state of Michigan.

Sec. 884—(2). Any person who shall violate any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars or imprisonment in the

county jail not exceeding ninety days, and in case of the non-payment of such fine when imposed, the court trying the same may make a further sentence that the offender be imprisoned in the county jail for a definite period not exceeding ninety days unless said fine shall be sooner paid.

SUNDAY OBSERVANCE, GAMING, BETTING.

Provisions of Chapter 54, Howell's statutes. Secs. 2015, etc.

Sec. 885—(2015). (1). **LABOR, BUSINESS, SHOWS AND SPORTS.** No person shall keep open his shop, warehouse, or workhouse, or shall do any manner of labor, business, or work, or be present at any dancing, or at any public diversion, show, or entertainment, or take part in any sport, game, or play on the first day of the week. The foregoing provisions shall not apply to works of necessity and charity, nor to the making of mutual promises of marriage, nor to the solemnization of marriages. And every person so offending shall be punished by fine not exceeding ten dollars for each offense.

Sec. 886—(2016). (2). **TAVERN KEEPERS, ETC.** No tavern keeper, retailer of spirituous liquors, or other person keeping a house of public entertainment, shall entertain any persons, not being travelers, strangers, or lodgers in his house, on the said first day of the week, or shall suffer any such person on said day to abide or remain in his house, or in the buildings, yards, or orchards or fields appertaining to the same, drinking, or spending their time idly, or at play, or in doing any secular business.

Sec. 887—(2018). (4). **PRESENCE AT GAMES AND SPORTS.** No person shall be present at any game, sport, play, or public diversion, or resort to any public assembly, excepting meetings for religious worship or moral instruction, or concerts of sacred music, upon the evening of the said first day of the week; and every person so offending shall be punished by a fine not exceeding five dollars for each offense.

Sec. 888—(2019). (5). **SERVICE OF PROCESS.** No person shall serve or execute any civil process from midnight preceding to midnight following the said first day of the week; but such service shall be void, and the person serving or executing such process shall be liable in

damages to the party aggrieved, in like manner as if he had not had any such process.

Sec. 889—(2020). (6). **DISTURBANCE OF WORSHIP.** If any person shall on the first day of the week, by rude and indecent behavior, or in any other way, intentionally interrupt or disturb any assembly of people met for the purpose of worshipping God, he shall be punished by a fine not less than two nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days.

Sec. 890—(2021). (7). **WHO NOT LIABLE.** No person who conscientiously believes that the seventh day of the week ought to be observed as the Sabbath, and actually refrains from secular business and labor on that day, shall be liable to the penalties provided in this chapter, for performing secular business or labor on the said first day of the week, provided he disturb no other person.

Sec. 891—(2022). (8). **DAY DEFINED.** For the purposes of the provisions of this chapter, the said first day of the week shall be understood to include all the time between the midnight preceding and the midnight following the said day; and no prosecution for any fine or penalty incurred under any of the preceding provisions of this chapter, shall be commenced after the expiration of three months from the time when the offense shall have been committed.

Sec. 892—(2023). (9). **GAMING AND BETTING.** If any person by playing at cards, dice, or any other game, or by betting or putting up money on cards, or by any other means or device in the nature of betting on cards, or betting of any kind, shall win or obtain any sum of money, or any goods, or any article of value whatever, such person shall be deemed guilty of a misdemeanor, and on conviction, if the money, goods or articles so won or obtained be of less value than twenty-five dollars, shall be pun-

ished by imprisonment in the county jail not exceeding three months, or by a fine not exceeding one hundred dollars, or by both such fine and imprisonment, at the discretion of the court; and if the money, goods, or articles so won or obtained be of the value of twenty-five dollars or over, such person shall, on conviction, be punished by imprisonment for a period not exceeding one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment, in the discretion of the court; and any person that shall lose any sum of money, or any goods or articles of value, by playing or betting on cards, or by any other device in the nature of such playing and betting, and shall pay or deliver the same or any part thereof to the winner, the person so paying or delivering the same may sue for and recover such money in an action for money had and received, to the use of the plaintiff; and such goods or other articles of value in an action of replevin, or the value thereof in an action of trover, or in a special action on the case.

Sec. 893—(2028). (12). **PENALTY FOR BETTING.** Every person who shall win or lose, at any time or sitting, by gaming, or betting on the hands or sides of such as are gaming, any money or goods to the value of five dollars or more, whether the same be paid over or delivered, or not, shall forfeit and pay three times the value of such money or goods: Provided, that a prosecution shall be commenced therefor within six months after the committing of the offence.

Sec. 894—(2029). (15). **GAMBLING ROOMS, ETC.** Any person who shall for hire, gain, or reward keep or maintain a gaming room, or a gaming table, or any game of skill or chance, or partly of skill and partly of chance, used for gaming, or who shall knowingly suffer a gaming room, or gaming table, or any such game to be kept, maintained or played on any premises occupied or controlled by him, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or both, in the discretion of the court; and any person aiding, assisting, or abetting in the keeping or maintaining of any such gaming room, gaming table, or game shall be deemed guilty of a mis-

demeanor, and upon conviction thereof, shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding three months, or both, in the discretion of the court.

Sec. 895—(16). **NINE-PIN ALLEYS.** If any person shall keep, or knowingly suffer to be kept, in any house, building, yard, garden, or dependency thereof, or in any field by him owned or occupied, any nine-pin alley, or any alley to be used in the playing of nine-pins, or any other like game, whether to be played with one or more balls, or with nine or any other number of pins, for hire, gain, or reward, or shall, for hire, gain, or reward, suffer any person to resort to the same for the purpose of playing at any such game, every such person so offending shall, for every such offence, forfeit a sum not exceeding fifty dollars, and shall further recognize for his good behaviour, in like manner as is required of a person convicted of any offence mentioned in the preceding section.

Sec. 896—(17). **UNLAWFUL GAMES.** If any person shall play at billiards, cards, dice, nine-pins, or any other unlawful game, at any such table or alley kept or used as mentioned in the two last preceding sections, or shall play at cards or dice, at any place within this state, he shall forfeit a sum not less than two dollars nor more than one hundred dollars for each offence.

Sec. 897—(18). **SEARCH WARRANTS.** If any person shall make oath before any justice of the peace that he suspects, or has probable cause to suspect, that any house or other building is unlawfully used as and for a common gaming house, for the purpose of gaming for money or other property, and that idle and dissolute persons resort to the same for that purpose, such justice, whether the name of the persons last mentioned are known to the complainant or not, shall issue a warrant, commanding the sheriff or any constable to enter into such house or building, and there to arrest all persons who shall be there found playing for money, or otherwise, and also the keepers of the same, and to take into their custody all the implements of gaming there found, and to bring the said persons and implements before such justice, to be dealt with according to law.

PENAL PROVISIONS OF THE LIQUOR LAW.

Act No. 313, public acts of 1887. 3 Howell's statutes, 2283c6, etc.

Sec. 898—(3). **DRUGGISTS** The penal provisions of this act shall not apply to druggists who sell liquors for chemical, scientific, medicinal, mechanical, or sacramental purposes only, and in strict compliance with law. It shall not be lawful for any druggist, nor for any person whose business consists in whole or in part of the sale of drugs and medicines, directly or indirectly, by himself, his clerk, agent or servant, at any time, to sell, furnish, give or deliver, any spirituous, malt, brewed, fermented, or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented or vinous, to a minor, except for medicinal or mechanical purposes, on the written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person when forbidden in writing so to do by husband, wife, parent, child, guardian, or employer of such person, or by the supervisor of the township, or mayor, or director of the poor, or any supervisor or alderman of the city, or president or trustee of any village or superintendent of the poor of the county in which such person shall reside or temporarily remain, nor to any other person to be used as a beverage, nor to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda-fountain or other apparatus or device for dispensing aerated or other beverages. * * *

Whenever any druggist shall violate any of the provisions of this section he shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one hundred nor more than five hundred dollars and costs of prosecution, or imprisonment in the county jail not less than ninety days nor more than one year, or both such fine and imprisonment, in the discretion of the court: * * * Provided, that every drug clerk shall be responsible for violating the provisions of this act, for his personal act or violation and be subject to the same penalties as proprietors or employers.

Sec. 899—(6). **NOTICE AND RECEIPT.** * * * Before commencing

or doing any business for the time for which such tax is paid, and the receipt is given, the said notice and receipt (to be furnished by the county treasurer) shall be posted up and at all times displayed in a conspicuous place in the room or place where the sale of the liquors or beverages named in this act, and for which the tax was paid, is carried on, so that such receipt and notice shall be displayed in a conspicuous manner to all persons visiting or frequenting such room or place.

Sec. 900—(7). **VIOLATIONS AND PUNISHMENT.** If any person or persons shall engage or be engaged in any business requiring the payment of a tax under section one of this act without having paid in full the tax required by this act, and without having the receipt and notice for such tax posted up as required by this act, or without having made, executed and delivered the bond required by this act, or shall in any manner violate any of the provisions of this act, such person or persons shall be deemed guilty of a misdemeanor, and, upon conviction thereof, if there is no specific penalty provided therefor by this act, shall be punished by a fine of not more than two hundred dollars and costs of prosecution, or by imprisonment in the county jail not less than ten days nor more than ninety days, or both such fine and imprisonment, in the discretion of the court. And in case such fine and costs shall not have been paid at the time such imprisonment expires the person serving out such sentence shall be further detained in jail until such fine and costs shall have been fully paid: Provided, that in no case shall the whole term of imprisonment exceed six months. * * * Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense, and for each violation on the same day, or on different days, the person or persons offending shall be liable to the penalties and forfeitures herein provided. * * *

Sec. 901. **NEW BOND REQUIRED.** Sec. 8 provides for the giving and approval of a bond by each liquor dealer, and provides that "the principal shall not be allowed to sell spirituous, malt, brewed, fermented, vinous liquors in any other building or place than that specified in said bond, without giving notice and executing another bond in the manner above

prescribed. A new bond shall be required by the county treasurer with whom such bond was originally, in case of the death, insolvency, or removal of either of the sureties."

Sec. 902—(10). DUTY OF OFFICERS.

It shall be the duty of every county treasurer, sheriff, deputy sheriff, police officer or other person having notice or knowledge of any violation of the provisions of this act, to immediately notify the prosecuting attorney of the county thereof, and it shall be the duty of such prosecuting attorney when complaint on oath is made forthwith to prosecute every person violating any of the provisions of this act, and for each and every violation thereof.

Sec. 903—(13). SALES TO MINORS, DRUNKARDS, ETC. It shall not be lawful for any person, except a druggist, who shall be governed by section two of this act, to sell, furnish, or give any spirituous, malt, brewed, fermented, or vinous liquors, or any beverage, liquor, or liquids containing any spirituous, malt, brewed, fermented, or vinous liquor to any minor, to any intoxicated person, nor to any person in the habit of getting intoxicated, nor to any Indian, nor any person of Indian descent, nor to any person when forbidden in writing so to do by the husband, wife, parent, child, guardian or employer of such person, or by the supervisor of the township, mayor, or director of the poor, or the superintendent of the poor of the county where such person shall reside or temporarily remain. The fact of selling, giving, or furnishing any liquid in any place where intoxicating liquors are sold, or kept for sale, to any minor, or to any intoxicated person, or to any person in the habit of getting intoxicated, or to any Indian, or person of Indian descent, or to any person when forbidden in writing so to do by the husband, wife, parent, child, guardian, or employer of such person, or by the supervisor of the township, mayor, or director of the poor, or superintendent of the poor of the county where such person shall reside or temporarily remain, shall be prima facie evidence of an intent, on the part of the person selling, giving, or furnishing such liquid, to violate the law.

Sec. 904—(14). STUDENTS AND MINORS GAMING. It shall not be lawful for any person by himself, his clerk or agent, to permit any student in attendance at any public or private institution of learning in this state, or any minor, to play at cards, dice, billiards or any game of chance, in any part of any building, in which spirituous liquors or intoxicating

drinks are sold; nor shall it be lawful for any person, by himself, his clerk or agent, to sell or give to any student in attendance at any public or private institution of learning in this state, any spirituous or intoxicating drinks, except when prescribed by a regular physician for medicinal purposes; and any person who shall offend against either of the foregoing provisions of this section shall be deemed to have been guilty of a misdemeanor, and on conviction thereof shall be punished as provided in section seven of this act.

Sec. 905—(15). MINORS IN SALOONS.

It shall not be lawful for any person to allow any minor to visit or remain in any room where such liquors are sold or kept for sale unless accompanied by his or her father or other legal guardian.

Sec. 905—(16). CONCERT HALLS, ETC. It shall not be lawful for any person to sell, offer to sell, furnish, give or have in his possession any of the liquors mentioned in this act in any concert hall, variety show, theater, or other place of amusement, nor in any room in any building opening into where any such concert hall, variety show, theater, or other place of amusement may be.

Sec. 907—(17). WHEN SALOONS TO BE CLOSED. All saloons, restaurants, bars, in taverns or elsewhere, and all other places, except drug stores, where any of the liquors mentioned in this act are sold, or kept for sale, either at wholesale or retail, shall be closed on the first day of the week, commonly called Sunday, on all election days, on all legal holidays, and until seven o'clock of the following morning, and on each week-day night from and after the hour of nine o'clock until seven o'clock of the morning of the succeeding day. The word "closed" in this section shall be construed to apply to the back door or other entrance as well as to the front door. And in prosecutions under this section it shall not be necessary to prove that any liquor was sold: Provided, that in all cities and incorporated villages the common council or board of trustees, or council, may, by ordinance, allow the saloons and other places where said liquors shall be sold to open at six o'clock in the forenoon and to remain open not later than eleven o'clock in the afternoon and no longer of any week-day night, except on election days and holidays.

Sec. 908—(19). DISCLOSURES BY PERSONS FOUND INTOXICATED. Whenever complaint shall be made by any person, on oath, before any justice of the peace in any county, or other officer

or magistrate having jurisdiction, that any person is found intoxicated, or has been intoxicated in any hotel, store, public building, street, alley, highway, or other public place, it shall be the duty of such justice, municipal or police court to issue a subpoena to compel the attendance of such person so found intoxicated, or who has been intoxicated, as aforesaid, to appear before the justice or court issuing the same, to testify in regard to the person or persons of whom, and the time when, and the place where, and the manner in which the liquor producing his intoxication was procured; and if such person, when subpoenaed, shall neglect or refuse to obey such writ, the said justice or court who issued the same shall have the same power and authority to compel the attendance of the person so subpoenaed and to enforce obedience to such writ as in other civil cases. Whenever the person so subpoenaed shall appear before the justice, municipal or police court, to testify as aforesaid, he shall be required to answer, on oath, the following questions, to-wit: When, where and of whom did you procure, obtain, or receive the liquor or beverage, the drinking or using of which has contributed to the cause of the intoxication mentioned in the complaint? And if such person shall refuse to answer fully and fairly such questions, on oath, he shall be punished and dealt with in the same manner as for a contempt of court as in other cases. If it shall appear from the testimony of such person that any of the offenses specified in this act have been committed such justice or court before whom such testimony is given shall make a true record of the same and cause it to be subscribed by such witness; and the said testimony or answers, when subscribed as aforesaid, shall be deemed and taken to be sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any of the provisions of this act. Any person arrested on a warrant issued pursuant to the provisions of this section shall be brought before the justice or court issuing the same, and all subsequent proceedings in such suit or prosecution shall be governed by and subject to the provisions of this act and the rules of law applicable thereto: Provided, that the person so testifying under the provisions of this section shall not be held or prosecuted for the intoxication concerning which such testimony shall be given: And provided further, that nothing herein contained shall be so con-

strued as to prevent prosecuting persons for becoming drunk or intoxicated when the testimony of said person is not sought under the provisions of this section.

Sec. 909—(22). **DUTY OF MARSHAL.** It shall be the duty of village and city marshals, and, in cities having no marshal, of the chief of police, or some subordinate appointed by such chief, to visit, at least once in each week, all places within their respective jurisdictions where any of said liquors are sold or kept, to learn if any of the provisions of this act have been or are being violated; and whenever any of the officers above mentioned shall learn of a violation of any of the provisions of this act, it shall be his duty to enter complaint before some justice of the peace of the proper township or city, or police justice, as the case may be, and to do whatever shall be necessary to bring the offender to justice.

Sec. 910—(24). **WHO LIABLE FOR VIOLATIONS.** All persons engaged in the business of selling or keeping for sale any of the liquors mentioned in this act, whether as owner or as clerk, agent or servant: or employe, shall be equally liable as principals for any violation of any of the provisions of this act, and any person or principal shall be liable for the acts of his clerk, servant, agent or employe for any violation of the provisions of this act.

Sec. 911—(25). **ADULTERATION OF LIQUORS.** If any person shall adulterate any spirituous or alcoholic liquors used or intended for drink by mixing the same in the manufacture or preparation thereof, or by process of rectifying, or otherwise, with any deleterious drug, substance, or liquid, which is poisonous or injurious to health, except as hereinafter provided, or if any person shall sell, or offer to sell, any wine, or spirituous, or alcoholic liquors, or shall import into this state any wine or spirituous or intoxicating liquors, and sell or offer for sale such liquors, knowing the same to be adulterated, or shall sell or offer to sell any spirituous or intoxicating liquors from any barrel, cask or other vessel containing the same, and not branded as hereinafter provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, nor less than fifty dollars, and shall be imprisoned in the county jail of the county nor more than six months nor less than ten days.

Sec. 912—(26). **BRANDING OF BARRELS, ETC.** It shall be the duty of every person or persons engaged in the manufacture and sale of malt, spirituous

or alcoholic liquors, or in rectifying or preparing the same in any way, to brand on each barrel, cask, or other vessel containing the same, the name or names of the person, company, or firm manufacturing, rectifying, or preparing the same, and also these words, "Pure, and without drugs or poison."

Sec. 913—(27). **SALES PROHIBITED.** No person shall sell at wholesale or retail any ale, rum, wine, or other malt or spirituous liquors from any barrel, cask, or vessel unless the same shall have been branded and marked as aforesaid.

Sec. 914—(28). **DRUGGED OR POISONED LIQUOR.** If any barrel, cask or vessel containing any drugged or poisoned liquor shall be found in the possession of any wholesale or retail dealer in liquors, or in the possession of any person holding himself out as such a dealer, it shall be deemed prima facie evidence of the violation of the provisions of this act.

Sec. 915—(29). **DRUGGED AND ADULTERATED LIQUOR.** Any person who shall put into any barrel, cask or other vessel, branded or marked as required by this act, any liquors drugged or adulterated as aforesaid, or who shall sell or offer for sale any such liquors, for the purpose and with the intent of deceiving any person in the sale thereof, or shall violate any of the provisions of sections twenty-six, twenty-seven, or twenty-eight of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section twenty-five of this act.

Sec. 916—(31). **CURTAINS AND SCREENS TO BE REMOVED.** During the time when by the provisions of this act places where liquor is sold or kept for sale must be closed, all curtains, screens, partitions and other things that obstruct the view from the sidewalk, street, alley or road in front of or at the

side or end of said building, of the bar or place in said room where said liquors are sold or kept for sale, shall be removed. Any person who shall violate any of the provisions of this section, shall, upon conviction thereof, be punished as provided in section seven of this act.

FEMALES AS BARKEEPERS, ETC. Act No. 170, laws of 1897.

Sec. 917—(1). No person shall employ any girl or woman as barkeeper, or to serve liquors, or to furnish music, or for dancing in any saloon, or barroom where spirituous or intoxicating liquors, or malt, brewed or fermented liquors are sold or kept for sale.

Sec. 918—(2). No girl or woman shall be employed to tend bar, serve liquors, to dance or furnish music in any saloon or barroom where spirituous or intoxicating liquors, or malt, brewed or fermented liquors are sold or kept for sale.

Sec. 919—(3). No keeper or proprietor of a saloon where spirituous or intoxicating liquors or malt, brewed or fermented liquors are sold or kept for sale shall permit any girl or woman to tend bar, serve liquors, dance or furnish music for hire in his saloon or barroom: Provided, that this act shall not be so construed as to prevent the wife or other females who are bona fide members of the family of a proprietor of a saloon from tending bar or serving liquors in his saloon.

Sec. 920—(4). Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed fifty dollars and costs of prosecution, or by imprisonment in the county jail for a term not to exceed thirty days, or by both such fine and imprisonment, in the discretion of the court.

CRIMES AND THE PUNISHMENT THEREOF.

Title XXXIX Howell's statutes.

Sec. 921. Duties are required of local police officers in the enforcement of various provisions of the above title, and particularly the following chapters:

Chapter 317. Offenses against the lives and persons of individuals.

Chapter 318. Offenses against property.

Chapter 319. Forgery and counterfeiting.

Chapter 320. Offenses against public justice.

Chapter 321. Offenses against the public peace.

Chapter 322. Offenses against chastity, morality, and decency.

Chapter 323. Offenses against the public health.

Chapter 324. Offenses against public policy.

Chapter 325. Offenses against election laws.

Chapter 326. The racing of animals.

Chapter 327. The prevention of cruelty to animals.

THE SAFE KEEPING OF PUBLIC MONEYS.

Act No. 131, laws of 1875. Secs. 423-430, Howell's statutes.

Sec. 922—(1). All moneys which shall come into the hands of any officer of the state, or of any officer of any county, or of any township, school district, highway district, city or village, or of any other municipal or public corporation within this state, pursuant to any provision of law authorizing such officer to receive the same, shall be denominated public moneys within the meaning of this act.

Sec. 923—(2). It shall be the duty of every officer charged with the receiving, keeping, or disbursing of public moneys to keep the same separate and apart from his own money, and he shall not commingle the same with his own money, nor with the money of any other person, firm, or corporation.

Sec. 924—(3). No such officer shall, under any pretext, use, nor allow to be used, any such moneys for any purpose other than in accordance with the provisions of law; nor shall he use the same for his own private use, nor loan the same to any person, firm, or corporation without legal authority so to do.

Sec. 925—(4). In all cases where public moneys are authorized to be deposited in any bank, or to be loaned to any individual, firm, or corporation, for interest, the interest accruing upon such public moneys shall belong to and constitute a gen-

eral fund of the state, county, or other public or municipal corporation, as the case may be.

Sec. 926—(5). In no case shall any such officer, directly or indirectly, receive any pecuniary or valuable consideration as an inducement for the deposit of any public moneys with any particular bank, person, firm or corporation.

Sec. 927—(6). The provisions of this act shall apply to all deputies of such officer or officers, and to all clerks, agents, and servants of such officer or officers.

Sec. 928—(7). Any person guilty of a violation of any of the provisions of this act shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment in the discretion of the court: Provided, that nothing in this act contained shall prevent a prosecution under the general statute for embezzlement in cases where the facts warrant a prosecution under such general statute.

Sec. 929—(8). Any officer who shall willfully or corruptly draw or issue any warrant, order, or certificate for the payment of money in excess of the amount authorized by law, or for a purpose not authorized by law, shall be deemed guilty of a misdemeanor, and may be punished as provided in the preceding section.

LOOSING HORSES, TEAMS AND BOATS.

Sec. 930. HORSES AND TEAMS. (Act 97, laws of 1885.) Every person who shall willfully and maliciously, or wantonly, and without authority unhitch any horse or team belonging to another, and lawfully hitched or standing in any street, alley, or other place, or who in like manner shall ride or drive such horse or team away shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding ninety days, or both, in the discretion of the court.

Sec. 931. BOATS. (Howell's statutes, 9199.) Any person or persons who shall willfully remove any boat or boats from their fastenings moored upon any lake, river, or stream in this state, without the consent of the owner, or who shall mal-

iciously loose any boat or boats fastened by lock, chains, or other fastening, to the bank or shore of any lake, river, or stream, and suffer the same to float away without the consent of the owner or person having in charge said boat or boats, or who shall rent or hire any such boat or boats, and shall without any cause leave such boat or boats, and abandon the same without giving the owner or owners, or person having charge thereof, notice of such abandonment, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not less than ten dollars or more than one hundred dollars, or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment in the discretion of the court.

PARLIAMENTARY PRACTICE.

SEC. 932.—Table of Rules Relating to Motions.

EXPLANATION OF THE TABLE.—An x shows that the rule heading the column in which it stands applies to the motion opposite to which it is placed; a cipher shows that the rule does not apply; a figure shows that the rule only partially applies, the figure referring to the note showing the limitations; that it is “undebatable” and “cannot be amended;” and that an affirmative vote on it (as shown in note 5) “cannot be reconsidered;”—the other four columns containing ciphers show that this motion does not “open the main question to debate;” that it does not “require a two-thirds vote;” that it does “require to be seconded;” and that it is not “in order when another member has the floor”.

	Undebatable.	Opens Main Question to Debate.	Cannot be Amended.	Cannot be Reconsidered.	Requires a Two-Thirds Vote.—See Note 1.	Does Not Require to be Seconded.	In Order When Another Has the Floor.
Adjourn	x	0	x	x	0	0	0
Adjourn, Fix the time to which to	2	0	0	0	0	0	0
Amend [3]	0	0	0	0	0	0	0
Amend an Amendment	0	0	x	0	0	0	0
Amend the Rules	0	0	0	0	x	0	0
Appeal, relating to indecorum, etc. [4]	x	0	x	0	0	0	x
Appeal, all other cases	0	0	x	0	0	0	x
Call to Order	x	0	x	0	0	x	x
Close Debate, motion to	x	0	0	0	x	0	0
Commit	0	x	0	0	0	0	0
Extend the limits of Debate, motion to	x	0	0	0	0	0	0
Fix the time to which to Adjourn	2	0	0	0	0	0	0
Leave to Continue Speaking after Indecorum	x	0	x	0	0	0	0
Lie on the Table	x	0	x	5	0	0	0
Limit Debate, motion to	x	0	0	0	x	0	0
Objection to Consideration of a Question [6]	x	0	x	0	x	x	x
Orders of the Day, motion for the	x	0	x	0	0	x	x
Postpone to a Certain Time	7	0	0	0	0	0	0
Postpone Indefinitely	0	x	x	0	0	0	0
Previous Question [8]	x	x	x	0	x	0	0
Priority of Business, questions relating to	x	0	0	0	0	0	0
Privilege, questions of	0	0	0	0	0	x	0
Reading Papers	x	0	x	0	0	0	0

PRECEDENCE OF MOTIONS.

When a question is pending, no motion is in order but—

1. To fix the time to which to adjourn.
2. To adjourn [when unqualified].
3. To take a recess.
4. For the orders of the day.
5. To lay on the table.
6. For the previous question.
7. To postpone to a certain time.
8. To commit.
9. To amend.
10. To postpone indefinitely.

Which motions take precedence in the order in which they stand arranged. When a recess is taken during the pendency of any question, the consideration of such question is resumed upon reassembling, unless otherwise ordered.

	Undeatable.	Opens Main Question to Debate.	Cannot be Amended.	Cannot be Reconsidered.	Requires a Two-Thirds Vote—See Note 1.	Does not Require to be Seconded.	In Order When Another Has the Floor.
Recess, Motion for.....	x	0	0	0	0	0	0
Reconsider a Debatable Question.....	0	x	x	x	0	0	9
Reconsider an Undeatable Question.....	x	0	x	x	0	0	9
Refer (same as Commit).....	0	x	0	0	0	0	0
Rise (in Committee equals Adjourn).....	x	0	x	x	0	0	0
Shall the Question be Discussed? [6].....	0	0	x	0	x	x	x
Special Order, to make a.....	0	0	0	0	x	0	0
Substitute (same as Amend).....	0	0	0	0	0	0	0
Suspend Rules.....	0	0	x	x	x	0	0
Take from the Table.....	x	0	x	5	0	0	0
Take up a Question out of its Proper Order.....	x	0	x	0	x	0	0
Withdrawal of a Motion.....	x	0	x	0	0	0	0

NOTES.

(1). Every Motion in this column has the effect of suspending some rule or established right of deliberative assemblies and therefore requires a two-thirds vote, unless a special rule to the contrary is adopted.

(2). Undeatable if made when another question is before the assembly.

(3). An Amendment may be either (1) by "adding" or (2) by "striking out" words or paragraphs; or (3) by "striking out certain words and inserting others;" or (4) by "substituting" a different motion on the same subject; or (5) by "dividing the question" into two or more questions, as specified by the mover, so as to get a separate vote on any particular point or points.

(4). An Appeal is undeatable only when relating to indecorum, or to transgressions of the rule of speaking, or to the priority of business, or when made while the previous question is pending. When debatable, only one speech from each member is permitted. On a tie vote the decision of the chair is sustained.

(5). An affirmative vote on this motion cannot be reconsidered.

(6). The objection can only be made when the question is first introduced for debate.

(7). Allows of but limited debate upon the propriety of the postponement.

(8). The previous question, if adopted, cuts off debate and brings the assembly to a vote on the pending question only, except where the pending motion is an amendment or a motion to commit, when it also applies to the question to be amended or committed.

(9). Can be moved and entered on the record when another has the floor, but cannot interrupt business then before the assembly; must be made on the day the original vote was taken and by one who voted with the prevailing side.

FEES OF OFFICERS IN CRIMINAL CASES.

Secs. 9053 and 9054, Howell's statutes.

Sec. 933—(2). (As amended 1897.) JUSTICES OF THE PEACE. For a complaint on oath, twenty-five cents; a warrant, twenty-five cents; for entering any cause upon the docket, twenty-five cents; a bond or recognizance, twenty-five cents; for approving the same, ten cents; a subpoena (not exceeding four in any one case), ten cents; for certifying cause to other magistrates of court, fifteen cents; for commitment or mittimus, twenty-five cents; for an adjournment, fifteen cents; for certificate of conviction to file with the clerk, twenty-five cents; for making and filing return on appeal, or where a party is bound over to the circuit court, or any other court having concurrent jurisdiction, one dollar; for notifying county agent for the care of juvenile offenders of the pendency of the case against any juvenile offender, twenty-five cents; for each arraignment and receiving a plea of guilty, in case such plea is entered, one dollar and fifty cents; for each arraignment where the plea of not guilty is entered, or where examination is waived or demanded, one dollar and fifty cents.

For holding examinations including the taking of testimony and swearing of witnesses, and for the trial of any cause which shall include the swearing of all witnesses, the constable and jury, if one be called, also the judgment and record of any exceptions or motions made during the trial, three dollars per day for each day and one dollar and fifty cents for each one-half day while actually engaged in such examination or trial, or while engaged in hearing any motion relative to

such trial or examination, or final disposition of any cause, but such per diem shall not be allowed until such examination or trial shall have been actually begun, and no justices of the peace shall receive any other fees or compensation for any services rendered in any criminal case than such as are hereinbefore provided.

Sec. 934—(3). CONSTABLES. For serving a warrant or other process for the arrest of any person, issued by any magistrate or court, fifty cents; for traveling to make such service, going only, ten cents per mile, and where an arrest has been made, ten cents per mile return travel from the place of arrest to the place of return; for taking a prisoner to jail or to the house of correction, ten cents per mile, going only; for serving a mittimus, fifteen cents; serving a subpoena, fifteen cents for each witness, and eight cents per mile for the distance actually and necessarily traveled in going to make such service; for summoning a jury, seventy-five cents; for attending the same, fifty cents; for attending any court by order of the magistrate or officer before whom a trial or examination is being held, when not in charge of a jury, one dollar per day for each day, and fifty cents for each half day so actually attending. The board of supervisors of each county may allow such further compensation for the services of process and the expenses and trouble attending the same as they shall deem reasonable. For other services in criminal cases, for which no compensation is especially provided by law, such sum as the board of supervisors shall allow.

NUMBER 39.

AN ORDINANCE DEFINING OFFENSES, PRESCRIBING PENALTIES AND PROVIDING FOR THE EMPLOYMENT OF OFFENDERS.

ADOPTED APRIL 25, 1898.

The City of Marquette ordains:

§ 935—SEC. 1. When the doing, causing, directing, inciting, aiding or permitting to be done of any act without lawful authority is prohibited or made punishable by any ordinance, rule or regulation of the city; the doing, causing, directing, inciting, aiding or permitting to be done of any such act shall be punishable when not done by authority of law or by express authority of the owner or the person, officer or municipal body having the lawful custody, management or control of the property or premises in or in respect to which such act is done. Without lawful authority defined.

§ 936—SEC. 2. Every person convicted of the doing, causing, directing, inciting, aiding, or permitting to be done by their direction or consent of any act, or of any use or occupation of any place, property, person or thing, which by any ordinance, by-law or regulation of the city is prohibited or declared to be unlawful; and every person convicted of any willful neglect or failure to do or perform any act or duty the performance of which is required by any ordinance, by-law or regulation of the city, shall, in case the punishment therefor is not otherwise prescribed by ordinance, be punished by a fine of not less than one dollar nor more than thirty dollars, or by imprisonment in the city lock-up or county jail for a term not to exceed forty days, or by both such fine and imprisonment, in the discretion of the court. Punishment for offenses not otherwise prescribed.

§ 937—SEC. 3. In all cases where any fine is imposed on any person for the violation of any ordinance, rule or regulation passed or made by the common council, the court shall commit the offender to the city lock-up or county jail until such fine and the costs of prosecution are paid or until discharged in accordance with law; and such person shall be so confined and may be employed at work and labor by order of the mayor, as provided in the next section of this ordinance; *Provided*, That the court may in its discretion suspend the execution of any such sentence not exceeding ten days. Offenders to be committed

§ 938—SEC. 4. Any person confined in any jail, work-house, or prison for the non-payment of any fine, penalty, forfeiture or costs, or for any offense under the charter of the city or any ordinance of the common council, and termed "offender" herein shall, when required by written order of the mayor, perform all such work and labor within such place of confinement or upon any street or public work under the control of the common Employment of prisoners authorized. Mayor may order employment of offenders.

Offenders to
be in custody
while at work.

Refusal to
labor, escape
and resist-
ance punish-
able.

Credit of
labor on fine
and imprison-
ment.

council for not exceeding twelve (12) hours per day; which work and labor shall be performed under and while such offender is in the temporary custody of such officer or person as may be designated by the mayor; and such officer or person so designated shall, during the hours of labor so required and while taking such offender to the place of such work and his return to such place of confinement, have the custody of such offender, and shall have full power and authority to require and compel the performance by such offender in a fair and proper manner of such work and labor; and any refusal by such offender to fairly and properly perform any such work and labor; and any escape or attempt to escape or resistance by any such offender to such officer or person having the temporary custody of such offender, shall be punished by imprisonment not less than ten days and not exceeding ninety days, in the discretion of the court; such imprisonment to commence immediately upon the discharge or expiration of the term for which such offender was confined at the time of such offense.

§ 939—SEC. 5. Upon the certificate of the mayor or the officer or person having the temporary custody of such offender that such offender has fully, fairly and satisfactorily performed any such work and labor, and the time thereof, such offender shall be credited therewith at the rate of 15 cents per hour, upon any fine and costs in default of the payment of which he may be confined; and for each day of ten hours of such work and labor so certified to be fairly and satisfactorily performed, the term of imprisonment of such offender shall be reduced one day; but in no such case shall such offender be discharged until the fine, costs and the cost of jail keep of such offender be fully paid in labor or otherwise, except upon the full expiration of the time for which such offender was sentenced.

NUMBER 40.

AN ORDINANCE RELATIVE TO POLICE.

ADOPTED APRIL 25, 1898.

The City of Marquette ordains:

Appointment
of regular and
reserve police

§ 940—SEC. 1. The appointment and maintenance of a force of sixteen policemen is hereby authorized; six of whom shall be appointed and known as regular police, and ten of whom shall be appointed and known as reserve police; all of whom shall be electors of the city and shall be appointed under and shall qualify as required by an ordinance entitled, "An ordinance providing for the organization of a city police," adopted April 4, 1872, as amended, and shall be subject to all the provisions and requirements of said ordinance, except as herein otherwise provided.

§ 941—SEC. 2. Each of said regular police shall at all times have and exercise all the powers and perform all the duties of policemen of the city under the charter, ordinances and rules thereof. Powers and duties of regular police.

§ 942—SEC. 3. Each of said reserve police shall at all times have and exercise all the powers and perform all the duties of policemen of the city under the charter, ordinances and rules thereof, except as follows: Powers and duties of reserve police.

(a) They shall not be required to perform active police duty except upon direction of the mayor or the marshal, under such circumstances and for such time as he may require; nor shall they be required when on duty to wear police uniform. when on active duty.

(b) They shall receive no compensation, except for services actually rendered by order or authority of the mayor or marshal; or while on active duty by order of the mayor or marshal; and for such services they shall be allowed and paid at the rate of two dollars and fifty cents per day of twelve hours; bills therefor to be made, certified by the mayor or marshal, presented, audited and paid as other claims against the city. Compensation.

§ 943—SEC. 4. The mayor is hereby authorized to direct and require the performance by any of such reserve police of special police duty; and the marshal is hereby authorized to direct and require the performance of active duty by any of such reserve police whenever and so long as in his judgment occasion requires, subject however to modification or revocation by the mayor or the common council; and it is hereby made the duty of the marshal, so far as practicable, to employ the members of such reserve police in rotation, to the end that they may each in succession render an equal amount of active service and acquire experience therein. Mayor and marshal may call out reserve police. Reserves to be employed in rotation.

§ 944—SEC. 5. Hereafter all vacancies in such regular police shall be filled and appointments thereto shall be made only from members of such reserve police; and all vacancies in such reserve police shall be filled by appointment thereto of electors of the city. Regular police to be appointed from reserves.

NUMBER 41.

AN ORDINANCE PROHIBITING THE USE OF OVER-LOADED VEHICLES.

ADOPTED APRIL 25, 1898.

The City of Marquette ordains:

§ 945—SEC. 1. No person shall drive, use or employ, or cause to be driven, used or employed upon any public highway, street, avenue or alley, any truck, cart, wagon or other wheeled vehicle with a greater or heavier load thereon than seventy (70) pounds avoirdupois for each wheel of such vehicle for each Use of overloaded vehicles prohibited.

Penalty.

quarter inch in width of tire thereof; and any person convicted thereof shall be punished by a fine of not less than five dollars nor to exceed one hundred dollars, or by imprisonment not exceeding ninety days, or both such fine and imprisonment in the discretion of the court.

NUMBER 42.

AN ORDINANCE ADOPTING RULES OF PARLIAMEN- TARY PRACTICE.

ADOPTED, APRIL 25, 1898.

The City of Marquette ordains:

Rules govern-
ing council.

§ 946—SEC. 1. That the rules of parliamentary practice embraced in the table of rules relating to motions, precedence of motions and the notes thereto upon pages 222 and 223 of the volume containing the charter, ordinances, etc., of the city (now being printed); be and they are hereby adopted for the government of the proceedings of the common council, a copy of the same being hereto attached.

RESOLUTION RELATIVE TO THIS VOLUME.

§947—At a meeting of the common council held on April 7, 1898, the following resolution was adopted:

Resolved, That the committee on ordinances, by-laws and legislation are hereby authorized to include in the volume of charter and ordinances now being prepared, the acts incorporating the several boards and public bodies of the city; such miscellaneous acts and provisions of law relating to public affairs, health, peace and good order, and laws requiring duties of local officers; also such cuts and other matter as they shall deem proper to print in said volume.

INDEX TO CITY CHARTER AND BOARD ACTS.

(THE REFERENCES ARE TO SECTION NUMBERS.)

	Sec. No.
ABSENCE, of mayor and president; council to appoint member to preside	28
of officers from council, council may impose fine	28
ADJOURNMENT, of causes before justices of the peace.....	122
of council, by less than majority...	28
ACCOUNTS, to be kept by recorder.	79
against city, boards, and schools to be verified and audited and al- lowed by controller	a80
not binding on city or boards until approved	a80
of treasurer, to be audited.....	38
ACTIONS, on claims, not verified and presented to controller, etc....	a80
for injuries on sidewalks; who lia- ble.....(16th) 28, 132, 193	
for violation of charter or ordi- nances	125
pending, not to be affected.....	137
double costs against officers.....	184
notice to property owners to defend injury cases	193
ADVERTISEMENT, by controller, for proposals, for contracts....	c80
ADVERTISEMENT, see publication.	
ALDERMEN, election of.....	12
members of board of registration...	6
terms of office.....	18
inspectors of election	20
vacancies in office how filled.....	25
are members of council.....	28
may be fined for non-attendance....	28
when may be expelled by council...	48
to attend meetings of council.....	84
to act upon committees.....	84
to report official misconduct.....	84
to maintain peace and good order..	84
may order arrests	84
when to be members of board of re- view	139
compensation of.....	178
ALLEYS, and streets, council to es- tablish boundaries	32
AMENDMENT, of ordinances, how made	203

	Sec. No.
ANIMALS, council to restrain and regulate running at large..(13th)	28
carcasses of, to be prohibited..(15th)	28
council to prohibit, restrain and li- cense exhibitions of	(4th) 28
ANNUAL ELECTION, notice and conduct of.....	20
ANNUAL STATEMENT, and con- tents.....	180
to be recorded by recorder.....	180
APPEAL, to circuit court from jus- tices.....	126
bond on not required of city.....	126
bond on in sidewalk injury cases...	134
notice of in sidewalk injury cases..	135
APPOINTMENT, by mayor of offi- cers to be confirmed by council	13
of park and cemetery commissioners	101
of fire and water commissioners....	208
of light and power commission- ers.....	233-234
of trustees of Peter White public library.....	256
APPROPRIATION, of private prop- erty for public use.....	
Chap. VIII, Secs. 51-77	
under general law	77
of private property for park and cemetery purposes	107
APPROPRIATIONS, by council for expenses of city, etc.....	33
when exhausted warrants not to be drawn.....	e80
APPROVAL, by mayor, of resolu- tions involving expenditures....	28
by mayor, of ordinances.....	201
ARREST, may be ordered by alder- men.....	84
marshal to make without process when.....	85
who liable, for violations of charter and ordinances	120
proceedings upon	121
ASSESSMENT, see special assess- ments.	
power of council in relation to.....	34
lien of assessments on lots.....	34
expenses of sidewalks to be assessed	35

	SEC. No.
ASSESSMENT (continued).	
to be collected by treasurer.....	87
cost of work for preservation of public health	98
may be made for light and power purposes.....	100
ASSESSMENT, of expense of abating nuisances.....	97
ASSESSMENT OF TAXES, see taxes.	
ASSESSMENT OF PROPERTY FOR TAXES, how made by controller	138
ASSESSMENT ROLL, controller to make and deliver to board of re- view.....	138
review of by board of review.....	139
force, effect and validity.....	139
to be submitted to board of super- visors	141
power of board of supervisors in re- lation thereto	141
ASSESSOR, controller to be.....	180
ATTORNEY, see city attorney.	
AUCTIONS, council may restrain and regulate	(3rd) 28
council to regulate ringing of bells and crying of goods.....	(17th) 28
AUDITOR GENERAL, duties of in case of void tax sales.....	149
BALLOT BOXES, to be provided by common council	21
BANK, council may contract with, for safekeeping of moneys, and direct deposit of public moneys with.....	33
BEGGING, in streets, council to pro- hibit.....	(12th) 28
BELL RINGING, in streets, council to regulate	(17th) 28
BILLIARD TABLES, for gaming, council to restrain	(22d) 28
BOARD OF ELECTION INSPEC- TORS, see elections and inspec- tors of election.	
BOARD OF FIRE AND WATER COMMISSIONERS, see fire and water commission.	
BOARD OF HEALTH, common council to be.....	95
to prevent introduction of disease...	96
to examine persons coming from in- fected places	96
to establish and maintain hospitals..	96
to care for infected persons.....	96
to remove or destroy infected prop- erty	96
to require placarding of infected places	96
to punish violation of health ordi- nances and rules	96
to abate nuisances, etc.....	96
to pass ordinances, etc., for preser- vation of public health, cleanil- ness, etc., at expense of private	

	SEC. No.
BOARD OF HEALTH (continued).	
persons or property.....	98
power to punish violation of rules..	99
general laws to govern.....	99
BOARD OF REGISTRATION, see registration.	
compensation of members	178
BOARD OF REVIEW, who to con- stitute and powers and duties of	139
when and where to meet.....	139
BOARD OF SUPERVISORS, to audit and pay expenses of punishing offenders.....	124
to equalize assessment roll.....	141
not to direct taxes to be raised in city	148
BOARDING HOUSE KEEPERS, to report sick lodgers	97
BOATS AND WHARFS, licensing of (26th)	28
BOND, of treasurer and marshal....	20
of controller	h80
by persons under arrest.....	122
forfeiture and suit on.....	122
on appeal of sidewalk injury cases to circuit court	134
BONDS, of city officers to be pre- scribed by council.....	(24th) 28
of banks, to secure deposit of public moneys	33
when and how may be issued.....	41
issue of water and fire, ratified....	41
to be signed by mayor and recorder controller to keep record of, when issued by city, boards or school districts	b80
may be issued for light and power purposes	100
how issued for park and cemetery purposes	108
issued by fire and water commission	213
popular vote on	213
issue of by fire and water commis- sion to renew old bonds.....	214
fire and water commission author- ized to issue	232
how issued and recorded by author- ity of light and power commission	247
light and power commission may pay or renew.....	249
BONFIRES, council may regulate or prohibit	(7th) 28
BOUNDARIES, of city, territory in- corporated	2
of wards	3
BREACHES OF THE PEACE, mar- shal to suppress	85
BRIDGES, power of council to con- struct	151
improvements of, at joint expense of city and property.....	156
to be maintained by railroads.....	160
BUILDINGS AND PROPERTY, of city under management and control of council	28

	SEC. No.
BUILDINGS etc. (continued).	
council may prescribe lines for (22d)	28
inspection and plumbing to be regulated by council(30th)	28
BURIAL PERMITS, controller to countersign.....	80
BY-LAWS, see ordinances.	
fire and water commission to make to be adopted, recorded and published, by light and power commission	238
CANVASS OF VOTES, council to determine who elected to office..	20-22
CARCASSES, removal of(15th)	28
CARRIAGE STANDS, council to designate	(32nd) 28
CELLARS, slips, barns, drains, etc., regulation by council	(31st) 28
CEMETERIES, see park and cemetery commission.	
council to purchase, maintain and control	(19th) 28
recorder to keep cemetery record...	105
CEMETERY FUND, how disbursed	112
CENSUS, council to provide for taking.....	(33rd) 28
CERTIFICATE OF ELECTION, by election inspectors	20
by recorder, to persons elected.....	20
CERTIORARI, appeal on to circuit court	126
CHAIRMEN, of council, committees may administer oaths when....	182
CHALLENGE and excuse of jurors..	121
CHANGE, of voting places.....	200
CHARTER, violation punishable before justices	117
violation of, complaint for.....	117
a public act, how construed.....	199
CIRCUIT COURT, appeals to on claims for sidewalk injuries....	133
CIRCUSES, power to license....(4th)	28
CITY, name and style of.....	1
implied and incidental powers.....	1
right to hold and dispose of real and personal estate	1
may sue and be sued.....	1
boundaries, territory incorporated...	2
limit on indebtedness for borrowed money	41
may hold and improve lands, water powers, engines, etc., for light and power	100
may appropriate and borrow money for light and power.....	100
may use jail of county of Marquette right to appeal to circuit court from justices	126
may purchase at sales for assessments.....	159
suits to be in corporate name.....	187
how process against served.....	187
adjustment of indebtedness with township	189
title to property to vest in.....	190

	SEC. No.
CITY (continued).	
to pay monthly for light and power for streets and buildings.....	244
grant of Presque Isle park.....	265
CITY ATTORNEY, appointment and confirmation of.....	13
term of office of.....	16
seat in council meetings and right to debate	40
under direction of common council..	86
to conduct law business of corporation	86
to advise council, boards, officers, etc.....	86
to prosecute for offences against city ordinances and regulations	86
to prosecute under ordinances and regulations of water and fire commissioners	86
to prosecute for violation of charter to defend actions against Peter White public library.....	86
notice to of sidewalk injuries.....	132
notice to of appeals in sidewalk injury cases....	135
compensation to be fixed by council	178
CITY COLLECTOR of taxes, to be appointed by common council when.....	142
powers and duties of.....	142
CITY ENGINEER, appointment and confirmation of.....	13
seat in council meetings and right to debate	40
compensation to be fixed by council	178
CITY PHYSICIAN, health officer to be	13, 95
CITY TREASURER, see treasurer.	
CLAIMS, against city boards and schools to be verified and audited and allowed by controller	a80
not binding on city or boards until approved	a80
for injuries in streets, when to be presented	132-136
CLERKS OF ELECTION, how appointed, and oath of.....	20
compensation of.....	178
COLLECTION, see special assessments, taxes, dog taxes, treas'r.	
COMMISSION, commissioners; see street commissioner, fire and water commission, light and power commission, park and cemetery commission.	
COMMITTEE of the whole of council on appointments	40
COMMITTEES, may issue subpoenas and warrants when	49
chairmen may administer oaths when.....	182
may regulate their proceedings....	185
may empower marshal	185
duties to be prescribed by ordinance	185
may subpoena witnesses, etc.....	185

	Sec. No.
COMMITMENT, to whom directed..	129
form of for offenders.....	129
COMMON COUNCIL, confirmation of	
mayor's appointments	13
may provide for appointment of officers by mayor	13
may remove officers appointed by their authority.....	13
may remove city engineer.....	13
to prescribe powers and duties of officers appointed by their authority.....	13
to designate places where elections are to be held.....	20
to meet and determine who elected to office.....	20-22
to provide ballot boxes.....	21
duties of upon vacancy in office of alderman.....	25
to direct notices of elections to fill vacancies..	27
mayor and aldermen constitute....	28
majority of whole a quorum.....	28
less than a majority may adjourn..	28
may be summoned by mayor to meet	28
may impose fines for non-attendance	28
when to appoint one of its members to preside	28
may establish, enforce, annul, amend and repeal ordinances, by-laws, rules and regulations..	28
may dispose of property of city....	28
to manage and control city finances, etc.....	28
may make rules and by-laws relating to city finances and property	28
resolutions involving expenditure of public money to be approved by mayor	28
resolutions involving expenditure of public money may be passed notwithstanding objection of mayor.....	28
to preserve public peace and good order.....	(1st) 28
to organize, maintain and regulate police force.....	(1st) 28
duties in relation to disorderly and gaming houses, houses of ill fame and gaming....	(2nd) 28
may restrain and regulate auctions, etc....	(3rd) 28
may prohibit furnishing liquor to minors, etc	(3rd) 28
may prohibit opening of saloons, etc. on Sunday	(3rd) 28
may prohibit, restrain, licence and regulate sports, entertainments, etc..	(4th) 28
to abate or remove nuisances..	(5th) 28
may prohibit slaughter houses and storing of explosives	(6th) 28
may regulate sale and use of fire-works and explosives	(7th) 28

	Sec. No.
COMMON COUNCIL (continued).	
may regulate and prohibit discharge of firearms..	(7th) 28
to prevent incumbering of streets, sidewalks, etc.. ..	(8th) 28
to prevent and punish horse racing and immoderate driving	(9th) 28
to prevent accidents at street crossings.....	(9th) 28
to determine routes of street railways and routes and grades of railroads, etc	(10th) 28
to regulate navigation of harbor....	(11th) 28
to direct and regulate anchoring of vessels, etc.....	(11th) 28
to provide for and preserve the purity of waters	(11th) 28
to prevent structures in and filling of harbor	(11th) 28
to restrain and punish drunkards, vagrants, etc....	(12th) 28
to establish, maintain and locate pounds, etc..	(13th) 28
to restrain the running at large of animals.. ..	(13th) 28
to prevent and regulate the running at large of dogs, etc.....	(14th) 28
to impose tax on owners of dogs..	(14th) 28
may prohibit deposit of dead animals, etc.....	(15th) 28
to compel the clearing of sidewalks of snow, ice, etc.....	(16th) 28
to regulate the ringing of bells, crying of goods, etc.....	(17th) 28
to prescribe powers, duties, compensation, etc. of officers.....	(18th) 28
to purchase and maintain cemeteries..	(19th) 28
to provide for the protection and care of paupers and prevent the bringing in of paupers.....	(20th) 28
to establish and regulate markets, vending of wood, hay, etc..	(21st) 28
to regulate and establish building lines	(22nd) 28
to establish fire districts or limits.. ..	(23rd) 28
to prescribe duties, compensation and bonds of officers.....	(24th) 28
to license hawkers, peddlers and pawnbrokers	(25th) 28
to license and regulate wharves, boats, tugs, etc.. ..	(26th) 28
to regulate and license taverns, houses of public entertainment, etc.....	(27th) 28
to designate districts in which liquor selling shall be carried on..	(27th) 28
to regulate inspection of meats, poultry, fish and other provisions..	(28th) 28

	Sec. No.
COMMON COUNCIL (continued).	
to regulate inspection, weighing and measuring of brick, lumber, wood, coal, hay, etc. and sealing of weights and measures...	(29th) 28
to provide for the inspection of buildings, safety of their construction, etc., and license plumbers	(30th) 28
to direct and regulate construction and maintenance of cellars, slips, barns, drains, sinks, etc.	(31st) 28
to license and regulate vehicles kept for hire and solicitors for passengers, etc....	(32nd) 28
to provide for the taking of census	(33d) 28
to regulate and require the setting of shade trees	(34th) 28
authority to make ordinances for safety, order, good government and general welfare	(35th) 28
restriction on granting of franchises....	(35th) 28
authorized to prescribe fine and imprisonment for violation of ordinances	(36th) 28
to prescribe terms and conditions of licenses, and may remit fees....	29
may punish exercise of unlicensed occupations, etc.....	30
general powers of in relation to streets, alleys, etc....	32
approval of plats	32
power to make ordinances and by-laws	33
general power to assess, levy and collect taxes....	33
to employ prisoners	33
to direct deposit of public moneys, etc.....	33
general powers in relation to sewers, drains, vaults, etc.....	34
of in relation to highways, streets, public grounds, etc....	34
to grade, pave and improve highways, streets, etc....	34
to order construction of sidewalks, etc.....	34
authorized to collect costs of improvements by special assessments..	34
action of council in constructing sewers ratified....	34
general powers in relation to construction of sidewalks	35
assessments of expenses of construction of sidewalks.....	35
may provide for repair of cross walks and sidewalks	36
power to assess and collect taxes..	36
by-laws, ordinances, rules, etc., binding on courts....	36

	Sec. No.
COMMON COUNCIL (continued).	
to cause the recording of highways, streets, etc.....	37
to settle accounts of city treasurer, other officers, etc....	38
to make annual statement of receipts and expenditures	38
when private meetings may be held to provide seats in council chamber for city officers	40
officers may be required to attend meetings	40
officers may take part in debate, when	40
minutes to be published.....	40
authorized to borrow money, when may provide manner of voting on questions of borrowing money..	41
may prevent driving on sidewalks, etc.....	45
power to adopt ordinances.....	45
may expel aldermen and remove officers, when.....	48
may issue subpoenas and warrants, when	49
presiding officer or committee chairman may administer oaths, when....	50
attendance of witnesses, how compelled	50
may direct appropriation of private property for public use.....	
Chap. VIII., Secs. 51-77	
action of on suspension of marshal	78
direction of controller in leasing, repairs, insurance, etc., of property	d80
president pro tem.....	81
not to pay for labor and services performed under street commissioner, unless reported on oath	82
to direct city attorney when.....	86
quarterly reports to, by treasurer..	87
annual settlement of treasurer with	87
to fill vacancies in office of supervisor.....	88
to fix fees of justices of the peace..	90
reports from justices of the peace...	91
to prescribe duties and security to be given by officers.....	94
to be board of health.....	95
see "board of health."	
to adopt ordinances for filling up, clearing, etc., grounds, cess-pools, etc.....	98
general health laws to govern.....	99
may appropriate and borrow money for light and power.....	100
may collect taxes for light and power.....	100
may authorize appointment of park police.....	104
may take private property for park and cemetery commission	107

	Sec. No.
COMMON COUNCIL (continued).	
may appropriate, raise and borrow money for park and cemetery commission.....	108
may issue bonds therefor when authorized by electors	108
consent of for expenditures of park and cemetery commission	109
reports of park and cemetery commission	110
authorized to appropriate money for expenditures of park and cemetery commission	111
to levy and collect special taxes for same.....	111
concurrence of in granting certain privileges and franchises.....	113
may compromise with sureties on recognizance	122
may remit fines when.....	123
action of on sidewalk injuries.....	133
to appoint city collector of taxes when	142
power to assess and collect taxes....	145
limitation on power to assess taxes.	145
to levy highway taxes.....	145
may levy interest and sinking fund tax	145
may levy taxes to pay indebtedness	145
power to assess poll tax.....	146
to perform duties of township boards in reference to taxes.....	147
to determine amount of local taxes to be raised and direct the levy thereof	148
to levy sums required by school districts and municipal boards....	148
may apply to auditor general for re-sale of tax lands.....	149
may acquire lands for public improvements	151
may make contracts for public improvements and assess cost thereof	151
to cause estimates of cost to be made and assessed	151
limitation on power to make public improvements.....	151
to embrace certain items in cost of public improvements	151
to cause plats, diagrams and estimates to be made of public improvements	151
to revise and correct special assessment rolls	153, 155
may direct payment of portion of street improvements out of general funds	156
to determine portion paid by city for renewing street work	157
proceedings in case special assessments are invalid	158
may provide for collection of special assessments.....	159
may order suits for collection of	

	Sec. No.
COMMON COUNCIL (continued).	
special assessments	159
to direct railroads to maintain street crossings and bridges	160
may fill up railway excavations....	160
may direct suit for dog taxes.....	163
may punish for keeping untaxed dogs	163
may direct collection of special assessments on general tax roll...	174
to fix compensation of officers.....	178
may prescribe percentage on special assessments for fees of treasurer.....	181
committee chairman may administer oaths when	182
regular and special sessions thereof	186
to perform duties of township boards	194
to prescribe manner of exercising and enforcing powers	197
to have powers of village council under fire and water act.....	198
may re-enact ordinances against objection of mayor.....	201
how ordinances to be amended.....	203
to appoint fire and water commissioners on nomination of mayor	208
to raise by taxes sums required by fire and water commission.....	215
to publish annual statement of fire and water commission	228
confirmation by two-thirds vote of light and power commissioners	233-4
reports to by light and power commission	245
record and filing of reports of light and power commission	245
to raise by tax amounts required by light and power commission...	246
to submit to electors question of borrowing money for light and power commission	248
confirmation of trustees of Peter White public library	256
may remove trustees of Peter White public library.....	256
power to raise tax for library building.....	262
annual report to by Peter White public library.. ..	264
COMPETENCY, of officers, witnesses and jurors, in city cases.....	130
COMPLAINT, for violations of charter and ordinances	117
by whom made.....	118
CONDEMNATION, see appropriation of private property, Chap. VII.	
CONFIRMATION, by council of appointments..13, 101, 208, 233, 244,	256
of special assessments.....	155
CONSTABLES, election of.....	12
terms of office.....	16
to serve warrants.....	120
fees of.....	178

	Sno. No.
CONSTRUCTION of words....	127
CONTAGIOUS DISEASES, physi- cians to report....	97
CONTRACTS, aldermen and officers not to be interested in.....	47
commissioners not to be interested in.....	113, 229, 237
controller to sign.....	c80
to advertise for proposals.....	c80
for public improvements, to be made when.....	151
CONTROLLER, appointment and confirmation of.....	13
to be assessor.....	13
term of office of.....	16
to give security.....	20
seat in council meetings and right to debate.....	40
to keep financial accounts of city....	80
to countersign bonds, orders, licen- ses, burial permits and deeds....	80
to audit accounts and demands against city, boards and schools	a80
to countersign and register orders drawn in payment of claims....	a80
may subpoena and examine wit- nesses relative to accounts.....	a80
to examine books, papers and ac- counts of city and boards.....	a80
power to administer oaths generally	a80
to keep a record of bonds issued by city, boards and schools.....	b80
to keep account of funds, taxes, as- sessments, licenses and expendi- tures of city, boards and school districts.....	b80
to advertise and receive proposals for contracts.....	c80
to sign contracts and agreements..	c80
to keep record of officers and em- ployes of city, boards and schools	d80
to certify pay rolls and wages of officers.....	d80
to have leasing, repairs, insurance and general supervision of prop- erty of city.....	d80
may require reports from officers, boards and persons in charge of public property.....	d80
to exercise general supervision of the financial concerns.....	e80
not to draw warrants on funds ex- hausted....	e80
to keep books exhibiting condition of corporation.....	e80
to inquire into, inspect and inven- tory finances and property of of- ficers, boards, etc.....	e80
to require reports from officers, boards, etc.....	e80
to charge treasurer with special and general taxes, licenses, etc.....	f80
to charge treasurer and other offi- cers with money and property in their possession.....	f80

CONTROLLER (continued).

	Sno. No.
to require annual settlements by of- ficers.....	f80
to credit treasurer and other offi- cers for money, property, etc....	f80
to attach warrants to tax and as- sessment rolls.....	g80
to perform duties required by coun- cil and boards.....	h80
salary prescribed by council.....	h80
to give bond.....	h80
to submit to council annual state- ment.....	180
annual statement of, what to show..	180
to be assessor of the city.....	180
may employ clerks on approval of council.....	180
monthly statements to, by treasurer	87
to make assessments.....	93
to audit claims against park and cemetery commission....	112
to make annual assessment roll in accordance with general law....	138
to assess all property liable to tax- ation.....	138
to assess all personal property in the city between March and June..	138
how to assess real estate.....	138
power to demand lists of property..	138
to have powers of township super- visors.....	138
to deliver roll to board of review...	138
to give notice of meetings of board of review.....	139
to be member of board of review....	139
to make tax roll and warrant for collection.....	140
to deliver assessment roll to county clerk.....	141
to spread state and county taxes on tax roll.....	142
to annex warrant to tax roll and de- liver to treasurer for collection..	142
to levy taxes directed by council...	148
to make estimates of expenses of improvements.....	151
warrant of for collection of special assessments.....	151
how to make special assessment roll	152
to make and deliver to marshal dog tax list.....	162
to file duplicate with recorder.....	162
when to levy special assessments on general tax roll.....	174
compensation to be fixed by council	178
to enter in books memoranda of ex- penditures for light and power..	244
to spread library tax annually.....	261
CORPORATION, name, powers and rights of, see city.	
not dissolved by failure to hold elec- tion.....	22
COSTS, security for.....	118
in enforcement of state laws to be paid by county.....	124

	Smo. No.
COSTS (continued).	
to be added to fines as additional penalty.....	131
how taxed on foreclosure of assessments.....	159
double, in certain cases.....	184
COUNTY , jail of, city to use.....	115
to pay expense of prosecutions under state laws.....	124
clerk, to produce assessment roll before board of supervisors.....	141
to return assessment roll to controller.....	141
COURTS , jurisdiction in replevin for impounded animals(13th)	28
by-laws, ordinances, etc., binding on.....	36
jurisdiction in suits against officers	184
CROSS-WALKS , see sidewalks.	
CURIOSITIES , council to prohibit, restrain or license exhibitions of(4th)	28
DAMAGES , for injuries by defects in streets, etc.....	132
owners of dogs liable for injuries by property owners and others liable for injuries by defective sidewalks, openings in streets, etc..	193
DEBT , limit on municipal.....	41
DECREE , on foreclosure of special assessments.....	159
DEEDS , to be signed by mayor and recorder.....	42
countersigned by controller	80
DEFECTIVE SIDEWALKS , when owners liable for injuries.....	193
DEPOSIT of public moneys in banks	33
DEPUTY , recorder and treasurer may appoint deputies	83
DISEASES , power of council in relation to.....Chap. X, 95-99	
physicians to report.....	97
DISORDERLY HOUSES , houses of ill fame, council to prevent, etc.....	(2nd) 28
DISORDERLY PERSONS , to be arrested by marshal	85
DISTURBANCES , marshal to suppress.....	85
DOCKET , of justices of the peace....	127
DOGS , council to regulate the running at large(14th)	28
untaxed may be killed when.....	166
when may be killed.....	167
owners liable for injuries.....	168
keeping of vicious dogs prohibited..	169
when to be chained up.....	170
DOG TAXES , to be paid by owners..	161
who deemed owners	161
roll to be made by controller and delivered to marshal.....	162
copy to be filed with recorder.....	162
marshal to collect	162
marshal may add to dog tax list....	162

	Smo. No.
DOG TAXES (continued).	
marshal to pay taxes and deliver list to treasurer.....	163
suit for collection of.....	163
marshal charged with, may be relieved when.....	164
recorder to procure tags.....	164
marshal to give receipts for.....	165
tags to be attached to dogs.....	165
lost tags, how replaced.....	165
untaxed dogs may be killed.....	166
counterfeit and improper tags prohibited.....	171
imitation and improper tags prohibited.....	171
penalties for violations of dog tax provisions..	172
belong to contingent fund.....	173
DRAINS AND VAULTS, ETC. , direction of council	34
DRAYS , and other vehicles may be licensed.....	(32nd) 28
EATING HOUSES , council to regulate and license.....(27th)	28
ELECTIONS , officers elected on city and ward tickets....	12
of justices of the peace in 1896 and after.....	19
how conducted.....Chap V., 20-22	
notices of to be posted and published	20
places where held to be designated by council.....	20
inspectors of, who to constitute..	20-22
vacancies in board of inspectors, how filled.....	20-22
clerks of, how appointed.....	20
ballot boxes to be provided by common council....	21
powers of inspectors same as in townships.....	21
tie votes, how determined.....	21
plurality of votes elects to office....	21
governed by general laws relative to township elections except where charter provides otherwise.....	21-22
failure to hold, effect of.....	22
to fill vacancies in office of aldermen.....	25
to fill vacancies, notice of.....	27
special on borrowing money.....	41
notice of.....	41
to authorize bonds for park and cemetery.....	108
compensation of inspectors	178
compensation of clerks	178
compensation of gate keepers, etc..	178
polling places, change in.....	200
to authorize issue of bonds by fire and water commission	213
qualification of electors at school elections	206 note
see school district No. 1.	
ELECTORS AND REGISTRATION	
Chap. III, 4-11	

	Smo. No.
ELECTORS , qualifications of.....	4
residence of, where to vote.....	5
transfer of names on registers.....	8
unlawful to vote unless registered..	10
qualification of at school elections	
206 note	
challenge of at school elections. 206 note	
vote of to authorize raising of mon- ey for library building.....	262
vote on authorizing issue of bonds by light and power commission	247
vote on authorizing issue of bonds by fire and water commission..	213
ELECTRICITY , taking without au- thority.....	250
ELIGIBILITY of persons to hold of- fice.....	14
EMPLOYMENT of prisoners	33
ENCROACHMENTS on streets and alleys.....	32
EQUALIZATION , of assessment roll by board of supervisors.....	141
ESTIMATES of expenses of public improvements, when necessary..	151
to be publicly exhibited.....	151
EVIDENCE , papers and records cer- tified by recorder	79
by-laws, regulations and ordinances of light and power commission.	238
of publication of rates, charges, etc., of light and power commission..	243
EXCAVATIONS , owner liable for in- juries by.....	132
EXECUTION , for collection of fines	123, 125
EXHIBITIONS and entertainments, council may regulate, etc..(4th)	28
EXPLOSIVES , council may prohibit storing of.....	28
FEES , of auctioneers, may be fixed by council.....	28
of justices of the peace, fixed by council.....	90-178
of marshal, constable and treasurer	178
of treasurer for collection of taxes..	144
of treasurer for collection of special assessments to be prescribed by ordinance	181
FEMALES , liable to arrest for viola- tions of charter and ordinances..	120
FINANCES , under control and man- agement of council..	28
annual statement to be published...	39
FINES , council may impose for non- attendance.....	28
labor in discharge of.....	33
disposition of penalties and for- feitures.....	91-92
council may remit.....	123
collection of, by execution.....	123, 125
discharge of prisoner on payment of	129
and costs to be paid to treasurer...	129
costs to be added as additional pen- alty.....	131
for violation of charter belong to contingent fund....	173

	Smo. No.
FIRE AND WATER COMMISSION , issue of certain bonds by rati- fied.....	41
controller to countersign bonds, or- ders, licenses, deeds, etc.....	80
accounts against to be audited and allowed by controller	a80
controller to inspect and inventory finances, accounts and property of, and to whom reports must be made	e80
city attorney to advise, when.....	86
council to levy taxes for sums re- quired.....	148
mayor member of board.....	180
continued in existence, power and duties of.....	198
act incorporating	207-232
corporate powers.....	207
terms of office	208
mayor to nominate commissioners..	208
commissioners to be citizens quali- fied to vote	208
vacancies in board how filled.....	208
to choose president and secretary...	209
treasurer to give bond.....	209
vacancy in office of president, how filled....	209
president, term of office.....	209
secretary and treasurer, terms of of- fice.....	209
to file oath of office.....	210
majority a quorum	211
general powers and duties of.....	212
power to borrow money.....	213
to issue bonds on credit of city.....	213
how bonds issued and registered...	213
limitation on power to borrow.....	213
to pay bonds and interest.....	214
may purchase certain bonds.....	214
may issue new bonds when.....	214
to report to council sums needed to be raised by taxes.....	215
to purchase lands....	216
to furnish water and fire protection	216
power to lay water pipes, etc.....	217
to employ superintendants, clerks, etc.....	218
commissioners to receive no compen- sation.....	218
to assess water rate to be paid by consumers.....	219
water rate a lien on premises.....	219
may enforce collection of water rates.....	220
may take private property.....	221
compensation for, how determined..	221
proceedings on the taking of private property.....	221-3
materials furnished to be exempt from execution.....	224
to pay creditors of contractors.....	224
unauthorized interference with pipes, etc.....	225
willful injury to work and property of punishable....	226

	S.E.C. No.
FIRE AND WATER COMMISSION (continued).	
to keep record of proceedings.....	227
to keep list of assessments for water rates.....	227
to make annual report to council....	228
contents of annual report to council	228
statement to be certified, entered of record and published	228
members not to be interested in contracts and purchases	229
members not to be members of council.....	229
power to make and enforce by-laws, regulations and ordinances	230
by-laws, regulations and ordinances to be entered in book and signed	230
by-laws, regulations and ordinances as evidence.....	230
president and secretary to sign by-laws, etc.....	230
authorized to borrow money and issue bonds.....	232
FIREARMS , council may regulate and prohibit the discharge of (7th)	28
FIRE LIMITS DISTRICTS , council to establish..... (23rd)	28
FIRE WARDENS , appointment and confirmation of.....	13
FIREWORKS , council may regulate sale and use..... (7th)	28
FISCAL YEAR , of the city.....	46
FORFEITURE of recognizance for appearance.....	122
FRANCHISES , restriction on granting of..... (35th)	28
park and cemetery commission not to grant	113
FUNDS , controller to keep books showing condition of	e80
when exhausted warrants not to be drawn on.....	e80
GAMING , council to prevent and restrain..... (2nd)	28
GATEKEEPERS , of election pay of	178
GENERAL TAX ROLL , collection of special assessments on.....	174
GRADE and route of railways, council to determine..... (10th)	28
GRADING , powers of council to grade, pave and improve streets, etc.....	34
GUNPOWDER , council to regulate use of..... (7th)	28
HACKS , council to license and regulate..... (32nd)	28
HARBOR MASTER , appointment and confirmation of.....	13
term of office.....	16
compensation fixed by council.....	178
HARBOR , boundaries of.... (11th)	28
council to preserve and regulate navigation..... (11th)	28
to prevent obstructions and filling of..... (11th)	28

	S.E.C. No.
HARBOR (continued).	
council to direct and regulate anchoring of vessels, etc..... (11th)	28
HAWKERS AND PEDDLERS , who deemed such	(25th) 28
council to license and regulate. (25th)	28
HEALTH , see board of health.	
HEALTH OFFICER , appointment and confirmation and qualifications of.....	13
to be city physician.....	13, 95
term of office.....	16
seat in council meetings and right to debate.....	40
executive officer of board of health reports to of sick lodgers and dangerous diseases.. ..	97
powers and duties under general law compensation to be fixed by council	178
HIGHWAYS , powers of council over record of.....	34
council may levy highway tax.....	37
HORSE RACING , council may prevent and punish.... (9th)	28
IMMODERATE DRIVING , council may prevent and punish.... (9th)	28
IMPROVEMENTS , assessments for. proceedings for making	151
INDEBTEDNESS , limit of city for borrowed money....	41
payable at the office of treasurer....	87
INFECTION , of persons, property and premises, prevention of.....	96
INJURIES , on sidewalks, streets, etc., claims how presented.....	132
how claims appealed to circuit court.....	133
bond on appeal of suits for, to circuit court.....	134
notice of appeal and proceedings..	135
in streets, liability for damages.....	193
INFANT , guardian not to be appointed in prosecution against.....	120
INNKEEPERS , etc., to report sick lodgers	97
INSPECTION , council to regulate inspection of meats, poultry, fish and other provisions.. (22nd)	28
council to regulate weighing and measuring of brick, lumber, firewood, coal, hay, etc..... (29th)	28
council to provide for inspection of buildings..... (30th)	28
INSPECTORS OF ELECTION , who to constitute.. ..	20, 22
powers of, same as in townships....	21
to determine election of ward officers.....	20, 22
compensation of.....	178
INSURANCE , of buildings, under supervision of controller	d80
INTERPRETATION , words, how construed.....	127
INTOXICATED PERSONS , to be arrested and imprisoned.. ..	85

	Sec. No.
INTOXICATING LIQUORS, council may prohibit furnishing to mi- nors, etc..... (3rd) 28	
council to designate districts in which business shall be carried on..... (27th) 28	
INVESTIGATION, powers of com- mittees..... 50	
JAIL, city may use that of county... 115	
JUDGMENTS, of justices, how ren- dered.... 122-123	
execution on..... 123	
to be recorded in docket..... 127	
how proved 127	
against Peter White public library to be spread on tax roll..... 259	
JURISDICTION, of courts in re- plevin of impounded animals (13th) 28	
of justices, see justices of the peace.	
JURY, in trials before justices..... 121	
fees in trials before justices..... 121	
selection of in trials before justices. 121	
exemption of jurors.	
competency of jurors 130	
JURY LISTS, to be made by super- visor and returned to county clerk..... 188	
JUSTICES OF THE PEACE, terms of office of..... 17	
elections of in 1896 and after..... 19	
certificate of election of..... 20	
vacancies in office..... 23	
oath, jurisdiction, powers and duties 89	
duties and compensation of..... 90	
fees to be fixed by council..... 90	
reports to council..... 91	
disposition of fines, penalties, etc... 91	
to qualify and give security..... 91	
term of office..... 91	
disposition of fines, penalties, etc... 92	
jurisdiction of under state laws..... 114	
jurisdiction under ordinances 115	
exclusive jurisdiction under ordi- nances, etc..... 116	
complaint for violation of ordinances 117	
complaints, by whom made..... 118	
may require security for costs..... 118	
form of warrant..... 119	
need not appoint guardian for infant defendant.... 120	
proceedings before on arrest..... 121	
may punish jurors and witnesses for non-attendance, etc..... 121	
jurisdiction of, how exercised..... 121	
proceedings and adjournments 122	
how judgment rendered by..... 123	
to issue execution how..... 123	
when to issue summons for violation of charter and ordinances..... 125	
jurisdiction of to render judgment.. 125	
appeal on certiorari to circuit court 126	
docket, how kept..... 127	
proceedings before, how governed... 127	
to construe charter liberally..... 128	

	Sec. No.
JUSTICES OF THE PEACE (con- tinued).	
returns of officers to..... 128	
judicial notice taken by..... 128	
form of commitment of offenders.... 129	
to impose costs in addition to fine... 131	
fees of..... 178	
KILLING OF DOGS not taxed and tagged..... 166	
of vicious character.... 167-169	
notice to owner..... 169	
LABOR, of prisoners in jail or on streets..... 33	
LANDS, assessment and taxation of, see taxes.	
sales for special assessments..... 159	
LEASE of Marquette Valley Milling Co. validated..... 192	
LEASING of property, by controller d80	
LIBRARY, see Peter White public li- brary.	
LIBRARY TAXES, how spread and collected..... 261	
LICENSE, council to license hawk- ers, peddlers and pawnbrokers (25th) 28	
council to license and regulate wharves, boats, tugs, etc.. (26th) 28	
council to license plumbers and reg- ulate plumbing of buildings (30th) 28	
of vehicles and solicitors for pass- engers.... (32nd) 28	
council to prescribe terms and con- ditions and may remit fees.... 29	
terms and expiration of..... 30	
fees to be paid into contingent fund 31	
countersigned by controller 80	
LIEN, of taxes, see taxes.	
of assessments, see special assess- ments.	
of cost and repair of sidewalks.. 35-36	
of water rate upon premises..... 219	
LIGHT AND POWER COMMIS- SION, accounts against audited by controller.... a80	
controller to inspect and inventory finances, accounts and property of, and to whom reports must be made..... e80	
city attorney to advise when..... 86	
annual and other settlements of treasurer with.... 87	
city authorized to buy and hold lands, water powers, engines, etc 100	
council to levy taxes for sums re- quired.... 148	
appointment and general powers of 233	
corporate name 233	
power to contract, sue and be sued, etc..... 233	
to make by-laws and ordinances.... 233	
members not to belong to common council..... 233	
members to file oath of office..... 234	

	Sec. No.
LIGHT AND POWER COMMISSION (continued).	
terms of office.....	234
vacancies, how filled.....	234
to choose president from their number.....	235
term of office of president.....	235
to choose secretary from their number.....	235
city treasurer to be treasurer of commission.....	235
compensation of treasurer	235
vacancy in office of president how filled.....	235
majority to constitute a quorum....	235
to keep record of proceedings.....	236
to keep list of amounts due from consumers.....	236
proceedings and lists subject to public inspection.....	236
proceedings to be published.....	236
members not to be interested in contracts, purchases or labor....	237
power to make and enforce by-laws, regulations and ordinances	238
same to be entered in book, signed and published.....	238
president and secretary to sign by-laws, etc.....	238
authorized to purchase lands, water powers, engines, etc..	239
general powers of commission.....	239
to have exclusive management of light and power property.....	240
may sell and convey property.....	241
limit on power to sell or lease lands	241
power to construct dams, etc., and direct machinery etc.....	242
may lay pipes, etc., in streets of city and township of Marquette.....	242
manner of construction of works....	242
to light streets, parks, etc.....	242
to light public buildings.....	242
may sell light and power not needed for public use.....	242
to fix rates and charges for services	243
to make and enforce regulations for the collection of rates and charges.....	243
penalties and interests on rates....	243
may enforce collection by suit.....	243
rates, charges, rules and regulations to be entered of record and published.....	243
secretary to certify publication of rates, charges, rules, etc.....	243
city to pay monthly for public service.....	244
monthly itemized statements of public services to be filed with treasurer.....	244
to report annually or oftener to common council....	245
contents of report.....	245

	Sec. No.
LIGHT AND POWER COMMISSION (continued).	
statements to be certified by commissioners.....	245
special annual report to common council of moneys needed.....	246
power to borrow money and issue bonds.....	247
bonds, how issued and recorded.....	247
when to determine form of ballots of electors.....	248
to pay certain bonds.....	249
may purchase and renew bonds....	249
penalties for willful injury to work and property of....	250
penalty for taking electricity without authority.....	250
materials procured by to be exempt from execution.....	251
to pay creditors of contractors when	251
LIMITATION on amount of taxes....	145
LIQUORS, see intoxicating liquors.	
LOANS, how authorized	41
MARKETS, council may establish and regulate	(21st) 28
MARSHAL, appointment and confirmation of.....	13
term of office of.....	16
to give security	20
seat in council meetings and right to debate.....	40
mayor may suspend when.....	78
to be chief of police, subject to direction of mayor	85
to see that ordinances and laws are enforced.....	85
to have powers of constables for service of civil and criminal process issued by justices.....	85
as peace officer has powers of sheriff to suppress riots, disturbances, etc.....	85
may command the aid of citizens in the performance of duty.....	85
duty to arrest disorderly persons....	85
to arrest without process persons committing certain offences	85
may serve warrants	120
power to execute commitment.....	129
to pay dog taxes and deliver list to treasurer	163
charged with dog taxes, may be relieved when.....	164
to give receipts for dog taxes.....	165
may kill untaxed dogs.....	166
to receive fees for serving process..	178
compensation to be fixed by council.	178
MARQUETTE VALLEY MILLING CO. lease to, validated.....	192
MAYOR, election of.....	12
to appoint certain officers.....	13
term of office of.....	16
member of common council, when to vote.....	28

	Sec. No.
MAYOR (continued).	
may summon meetings of common council.....	28
to approve resolutions involving expenditure of public money.....	28
veto of resolutions involving expenditure.....	28
to sign annual statement.....	39
to sign bonds and deeds.....	42
general powers and duties of.....	78
president of council.....	78
to countersign orders on treasurer..	78
to see that officers discharge their duties.....	78
to see that laws, ordinances and resolutions are observed	78
power as conservator of the peace..	78
to direct marshal and officers to apprehend offenders	78
to preserve order and decorum in council room.....	78
to have power over police officers...	78
may suspend marshal when.....	78
marshal to be subject to direction of member of park and cemetery commission.....	101
notice to of sidewalk injuries.....	132
to be member of board of review....	139
to serve without compensation.....	178
member of board of fire and water commissioners	180
to have powers of president of village under fire and water act....	198
approval and veto of ordinances....	201
to authenticate adoption of ordinances.....	204
to nominate fire and water commissioners.....	208
to appoint light and power commissioners.....	233-4
to appoint trustees of Peter White public library.....	256
MEETINGS, regular and special of council.....	186
MINUTES, of proceedings of council	
to be published	40
to be kept by recorder.....	79
of park and cemetery commission to be kept and published.....	102
of fire and water commission to be kept	227
of light and power commission to be kept and published	236
MONEY, deposit of in bank, interest on	33
power of council to borrow.....	41
treasurer to have custody of.....	87
MORTGAGES, custody of treasurer..	87
NAME OF CORPORATION	1
NAVIGATION, council to prevent obstructions, filling, etc. in harbor (11th)	28
NOTICE, of registration, general law to govern	7

	Sec. No.
NOTICE (continued).	
of elections to be posted and published.....	20
to be given by recorder to persons elected to office	20
of election, effect of failure to give..	22
of election, to fill vacancies, how given	25, 27
to property owners of construction of sidewalk	35
to mayor, recorder or city attorney of injuries by defects in streets, etc.....	132
of meeting of board of review.....	139
by treasurer of receipt of tax roll 140,	143
of poll tax labor.....	146
of plats, diagrams and estimates for public improvements.....	151
of confirmation of assessment roll..	154
of lien of assessments may be recorded.....	155
discharge of notice of lien.....	155
to owners, to kill vicious dogs.....	168
to property owners and occupants to defend injury cases	193
of school elections, see school district No. 1.	
NOTES, to be in custody of treasurer	87
NUISANCES, council to abate...(5th)	28
council to order removal of.....(15th)	28
injurious to health, to be abated....	96
expense of abating may be assessed	97
dogs not taxed	166
OATH OF OFFICE, to be taken	
within ten days after notice....	20
of park and cemetery commissioners	102
of fire and water commissioners....	210
of light and power commissioners...	234
of trustees of Peter White public library.....	256
OATHS, administered by committee chairmen.....	182
OBSTRUCTIONS to navigation, council to prohibit	(11th) 28
OFFENSIVE substances and premises, see nuisances.	
OFFICE, of treasurer to be open week days	87
OFFICERS, election, appointment and tenure of office.Chap. IV., 12-19	
elected on city and ward tickets...	12
appointment and confirmation of....	13
powers and duties of to be prescribed by ordinance	13
who eligible to offices.....	14
change of residence vacates office...	14
incumbents to continue in office....	15
terms of office of	16, 17, 18
notice to be given to persons elected to office.....	20
oath of office to be taken within ten days.....	20
election of in wards to be determined by inspectors of election.....	20, 22

	Sec. No.
OFFICERS (continued).	
neglect to file oath and give security, vacates office	20, 23
powers, duties, compensation, etc., to be prescribed by council...(18th)	28
duties, compensation and bonds of appointed officers prescribed by council.....(24th)	28
may be required to attend meetings of council.....	40
seats for in council chamber.....	40
may take part in proceedings when may be required to attend meetings of council.....	40
not to be interested in contracts, jobs, etc.....	47
removal of.....	48
investigation of charges against.....	49
mayor, general powers and duties of recorder, general powers and duties of.....	78
controller, general powers and duties of.....	79
record of to be kept by controller....	d80
controller to inspect and inventory finances, accounts and property of and to whom reports must be made.....	e80
to make annual and other settlements required by controller....	f80
street commissioner, powers and duties of.....	82
recorder and treasurer may appoint deputies	83
aldermen, duties of.....	84
official misconduct of to be reported by aldermen to mayor.....	84
marshal, powers and duties of.....	85
city attorney, powers and duties of treasurer, powers and duties of....	86
treasurer to keep office open week days.....	87
supervisors, powers and duties of... supervisors, vacancies in office how filled	87
controller, to make assessments.....	88
council to prescribe duties and security.....	93
health officer	94
park and cemetery commission, appointment, etc.....	95
of park and cemetery commission....	101
penalty for neglect or refusal to execute process.....	102
marshal, policemen and constable to execute commitment	123
competency to act in suits.....	129
compensation to be fixed by council	130
compensation of supervisors	178
double costs in actions against.....	179
council to prescribe manner of exercising and enforcing powers.....	184
inspectors of school elections, duties and compensation.....	197
	206

	Sec. No.
OFFICERS (continued).	
fire and water commissioners how appointed	208
appointment and confirmation of light and power commissioners	233-4
OFFICE HOURS, of recorder.....	79
OPENING OF STREETS, grading, etc.....	32
ORDINANCES, to provide for the safety, order, good government and general welfare..(35th)	28
council may prescribe penalties for violation.....	36
power of council to make.....	33
by-laws, etc., binding on courts....	36
style of.....	40
publication of ordinances and by-laws	40
imposing fine or imprisonment not to take effect until published....	43
existing to remain in force.....	43
manner of proving.....	44
powers of council relative to.....	45
violations prosecuted by city attorney.....	86
in relation to parks and cemeteries to remain in force.....	106
jurisdiction of justices of the peace under.....	115
exclusive jurisdiction under, of justices.....	116
to be entitled	117
costs to be imposed as penalty for violation.. ..	131
to remain in force.....	191
to prescribe manner of exercising and enforcing powers of council and officers.....	197
to be presented to mayor for approval.....	201
when not to be of force without approval of mayor.....	201
return to recorder with objections of mayor.	
re-enactment of against objection of mayor.....	201
re-enactment of.....	203
amendments of, how made.....	203
to be authenticated by mayor and recorder and recorded	204
publication of.....	205
evidence of publication.....	205
fire and water commission to make to be adopted, recorded and published by light and power commission	230
	238
ORDERS, ON TREASURER, countersigned by mayor	78
drawn and signed by recorder.....	79
countersigned by controller	80
not to be drawn on funds or appropriations exhausted	e80
PARK AND CEMETERY COMMISSION, how appointed and terms of office.....	101

	SEC. No.
PARK AND CEMETERY COM- MISSION (continued).	
vacancies how filled	101
mayor, a member	101
name and style of.....	102
to choose president and secretary...	102
to file oath of office.....	102
to prescribe rules of proceeding and keep minutes	102
proceedings of to be published.....	102
power to employ superintendents and employes.....	103
commissioners not to receive com- pensation	103
to have exclusive government, con- trol of parks and cemeteries....	104
to exercise certain powers and du- ties of council, etc.....	104
to make and carry out improvement plans	104
to supervise expenditures	104
to make and enforce rules and reg- ulations	104
to appoint and employ park police...	104
to make and file plats of cemeteries	105
to make and file abstracts of con- veyances.....	105
to succeed to duties of former com- missioner	106
to apply to council for money.....	108
restrictions on purchases and expen- ditures.. ..	109
to make annual and other reports to council.....	110
to annually submit estimates of dis- bursements to council	111
allowance and payment of claims by members not to be interested in con- tracts	113
not to grant franchises.....	113
PARKS, city may purchase and hold grounds for	(19th) 28
PAUPERS, protection and care of, prevention against	(20th) 28
PAVEMENT, renewing	157
PAWNBROKERS, council to license and regulate	(25th) 28
PAY ROLLS, to be certified by con- troller.....	d80
PEDDLERS, council to license and regulate	(25th) 28
who deemed such	(25th) 28
PENALTIES, to be prescribed by council for violations of ordi- nances.. ..	(36th) 28
employment of prisoners for.....	33
suits for recovery of.....	125
for non-payment of taxes when due.	140
PERJURY, when persons guilty of...	183
PERSONAL PROPERTY taxable if in city between March and June	138
sale of for special assessments.....	159
PETER WHITE PUBLIC LI- BRARY, accounts against to be audited and allowed by controller	a80

	SEC. No.
PETER WHITE PUBLIC LI- BRARY (continued).	
controller to inspect and inventory finances, accounts and property of, and to whom reports must be made.....	e80
city attorney to defend actions against	86
city attorney to advise when.....	86
annual and other settlements of treasurer with	87
appointment and terms of trustees..	256
vacancies, how filled	256
trustees to file oath and serve with- out compensation.. ..	256
corporate name, seal and powers of	257
to elect president and secretary out of their number	258
terms of office of president and sec- retary.....	258
vacancies in office of president and secretary how filled	258
trustees to make rules and by-laws	258
power to acquire and hold property	259
property to be exempt from attach- ment, execution and taxation....	259
judgments against to be spread on city tax roll.....	259
city treasurer to be treasurer of....	260
money not to be paid out except on warrants of trustees	260
purposes for which money may be expended	260
president and secretary to sign war- rants.....	260
library tax to be spread annually..	261
to provide rooms.. ..	262
may receive donations	262
to direct expenditure of money for building	262
council to levy taxes for sums re- quired	262
to maintain free circulating library and public reading room.....	263
to make rules and regulations for use of library and reading room	263
to employ librarian and other assist- ants	263
employees of to be under control of board	263
to fix pay and designate duties of employees	263
to make annual report to common council	264
PETITION, of property owners for public improvements	151
PHYSICIANS, to report dangerous diseases.....	97
PLACARDS, at infected premises....	96
PLATS, of proposed improvements...	151
to conform to general plan of city..	32
not to be recorded until approved by council	32
PLEA, to complaint	121

	Sec. No.		Sec. No.
PLUMBERS AND PLUMBING, li- cense and regulation of by coun- cil	(30th) 28	PROSECUTIONS, by city attorney for violations of ordinances and local regulations	86
POLICE, council to organize, main- tain and regulate....	(1st) 28	for violations of ordinances.....	117-131
powers and duties of to be defined by the council....	(1st) 28	under state law, expense to be paid by county	124
marshal to be chief of.....	85	PROVISIONS, regulation of the sell- ing.....	(21st) 28
policemen may serve warrants....	120	PUBLICATION, of annual statement of minutes, ordinances, etc.....	39
POLLING PLACES, council to fix...	20	of ordinances imposing fine or im- prisonment	40
change of	200	of proceedings of park and cemetery commission	43
POLL TAX, power of council to as- sess	146	of notice of meetings of board of re- view	102
may be paid in labor.....	146	notice of receipt of tax roll by treasurer	139
POSTING of notice of receipt of tax roll by treasurer..	140, 143	of notice relative to plats, diagrams and estimates for public im- provements....	143
POUNDMASTERS, replevin against (13th)	28	of notice of confirmation of assess- ment rolls	151
POUNDS, council to establish, main- tain and locate	(13th) 28	of ordinances and evidence of.....	154
jurisdiction of courts in replevin of impounded animals..	(13th) 28	of notice of school election.....	206
POWERS, manner of exercise pres- cribed by council....	197	of annual statement of fire and wa- ter commission	206
PRESIDENT OF THE COUNCIL, appointment and confirmation of..	13	of proceedings of light and power commission	228
to preside in absence of mayor.....	13	of by-laws, etc., of light and power commission	236
may summon meetings of council in case of absence or inability of mayor	28	by light and power commission of rates, charges, rules and regu- lations	238
duties of	81	PUBLIC BUILDINGS, to be lighted by light and power commission..	242
when to be member of board of re- view	139	PUBLIC ENTERTAINMENTS, council to regulate and license..	(4th) 28
PRESQUE ISLE PARK, grant to the city	265	PUBLIC HEALTH, Chap. X., Secs. 95-99 see board of health.	
PRISONERS, employment of by or- der of council	33	PUBLIC HOUSES, council to pro- hibit, restrain or license....	(4th) 28
PRIVATE PROPERTY, see appro- priation of private property. may be taken by fire and water commission	221	PUBLIC IMPROVEMENTS, how made	151
PRIVATE SESSSIONS of council on appointments	40	how special assessment roll made..	152
PROCEEDINGS of council and boards, see minutes. before justices for violations of laws and ordinances	177-131	see special assessments. at joint expense of city and prop- erty	156
to be liberally construed.....	128	change of grade, etc., in streets....	157
PROCESS, against city, how served..	187	renewal at joint expense of city and property	157
neglect of officer to execute.....	123	PUBLIC MONEYS, resolutions involv- ing expenditure to be approved by mayor.....	28
PROOF of by-laws, ordinances, etc...	44	council may direct deposit in bank	33
of publication of ordinances.....	205	PUBLIC PEACE and good order, council to preserve	(1st) 28
PROPERTY, of city, under manage- ment and control of council....	28	PURCHASE, by city at sales of lands for assessments	159
taxable for city purposes.....	33	QUALIFICATIONS of electors at city elections	4
appropriation of for public use 51, 77, title to vest in city.....	107, 190	at school elections	a206
PROPERTY OWNERS, petition of for public improvements	151	of officers, eligibility	14
liable for injuries, see damages.			
PROPOSALS, for contracts, controller to advertise for	c80		

	Sec. No.
QUARANTINE, council may establish	96
QUORUM, of council, majority of whole	28
less than a majority may adjourn.	28
fire and water commissioners, a majority.....	211
majority of light and power commission.....	235
RAILROADS, council to determine routes and grades and regulate use of locomotives, etc.....(10th)	28
to maintain street crossings and bridges	160
REAL ESTATE, sale of for taxes.....	147, 149
for special assessments	159
RECOGNIZANCE before justices of the peace	122
forfeiture of	122
RECORDER, election of	12
term of office of.....	16
to give notice to persons elected to office	20
to certify election of justices of the peace	20
to notify county clerk of vacancy in office of justice of the peace.	23
to sign annual statement.....	39
to sign bonds and deeds.....	42
general powers and duties of.....	79
statutory powers of township or city clerk	79
clerk of council	79
to keep record of proceedings of council	79
to keep record of claims allowed and disallowed	79
to draw and sign orders on the treasurer	79
to keep account of funds on which orders are drawn	79
to keep seal, documents, etc.....	79
to countersign and register licenses to make and certify copies of papers, etc.....	79
authorized to administer oaths and take acknowledgements	79
subject to direction of mayor and council	79
office hours of	79
may appoint deputy how.....	82
to keep the cemetery record.....	105
notice to of sidewalk injuries.....	132
to record proceedings of board of review	139
to give notice of plats, diagrams and estimates for public improvements	151
to give notice of confirmation of assessment rolls	154
to procure dog tax tags.....	164

	Sec. No.
RECORDER (continued).	
to issue dog tax tags and counter-sign receipts..	165
compensation to be fixed by council	178
to perform duties of township clerk.	194
to present ordinances to mayor for approval	201
to certify presentation of ordinances to mayor and time of return....	202
to certify approval or objections of mayor to ordinances	202
to report to council ordinances objected to by mayor.....	202
to authenticate and record ordinances	204
to certify publication of ordinances..	205
to record annual statement of fire and water commission	228
RECORD, of streets, highways, etc..	37
of claims against city.....	79
of officers and employees.....	d80
of controller's reports	180
cemetery, to be kept by recorder....	105
of proceedings and judgment of justices	127
of ordinances	204
RE-ENACTMENT, of ordinances after veto	201
how revived.....	203
REGISTER OF DEEDS, to record and discharge notices of lien....	155
REGISTRATION, boards of, who constitute	6
aldermen members of board of.....	6
vacancies in board, how filled.....	6
notices of, general law to govern...	7
new wards, duties of boards.....	8-9
unlawful to vote unless registered..	10
re-registration in 1894, 1898, 1892, etc.....	10
unlawful placing of names on registers	11
city registration books to be furnished for school elections.....	b206
REGULATIONS, park and cemetery commission to make	104
fire and water commission to make	230
light and power commission to make	238
to be adopted, recorded and published by light and power commission	238
REMIT of fines by council.....	123
REPAIRS, of buildings, under supervision of controller	d80
RE-PAVING, of streets, payment for	157
REPORT, controller's annual.. ..	180
street commissioner's monthly	82
treasurer's, monthly	87
treasurer's, quarterly	87
justices, monthly	91
by inn-keepers, etc., of sick persons	97
by physicians, of infectious diseases	97
RESIDENCE, of electors	5
of officers, change of vacates office	14

	Sec. No.
RESOLUTIONS, involving expenditure of public money to be approved by mayor	28
RESTAURANTS, council to regulate and license	(27th) 28
REVIEW of assessments, by board of review	139
RIOTS, marshal to suppress	85
SALARIES, see common council.	
SALES, power of treasurer to make for taxes	87
for taxes, legal effect of	150
of land on foreclosure of assessments	159
city may purchase at	159
of lands to enforce payment of water rates	220
SALOONS, council may prohibit opening on Sunday	(3rd) 28
council to regulate and license. (27th)	28
SAVING CLAUSE	195
SCHOOL DISTRICT No. 1, controller to countersign bonds, orders, licenses, deeds, etc.	80
accounts against to be audited and allowed by controller	a80
controller to inspect and inventory finances, accounts and property of, and to whom reports must be made	e80
city attorney to advise when	86
to certify to council sums to be raised for taxes	148
limits of	206
annual election of trustees	206
trustees to designate place of annual election	206
when place of election to be open	206
elections to be conducted as in graded school districts	206
notice of time and place of elections	206
inspectors of election	a206
president to be chairman of election inspectors	a206
elections, qualification of electors	a206
powers of inspectors of election	a206
vacancies in election inspectors, how filled	a206
elections, qualifications of voters at	a206
elections, canvass of votes	a206
elections, poll list to be kept	b206
elections, inspectors to have city registration books	b206
elections, counting and declaring vote	c206
returns how made	c206
disposition of ballots and boxes	c206
qualification by persons elected trustees	c206
election, expenses to be paid by district	d206
inspectors to be paid same as at city elections	d206
to pay election expenses from contingent fund	d206

	Sec. No.
SCHOOL DISTRICT No. 1 (continued).	
compensation of inspectors	d206
general laws to govern	e206
territory and corporate name of district	253
successor of former district	254
former district abolished	255
SCHOOL ELECTIONS	206
SCHOOL TAXES, trustees to certify to council	148
SEAL, corporation may have and alter fire and water commissioners may have and alter	207
light and power commission may have and alter	233
SECURITY, controller, treasurer and marshal to give	20
justices to give	91
for costs may be required by justices	118
SERVICE, of process, by marshal ..	85
SEWERS, council to direct construction of sewers, drains, etc.	34
improvement at joint expense of city and property	156
SHADE TREES, setting and regulation of	(34th) 28
SHOWS, council to prohibit, restrain or license	(4th) 28
SIDEWALK INJURIES, when owners of property liable for damages ..	193
SIDEWALKS, council to prevent encumbering	(8th) 28
council to compel clearing of snow, ice, dirt, etc.	(18th) 28
power of council to construct	34
council may construct	35
collection of cost of construction ..	36
council to prevent riding or driving on	45
liability of city for injury upon	132
claims for injuries upon, how presented	132
claims for injuries, how appealed to circuit court	133
notice to repair	193
liability of property owners for sidewalk injuries	193
SLAUGHTER HOUSES, council may prohibit	(8th) 28
SPECIAL ASSESSMENTS, petitions of property owners for improvements	151
estimated cost of public improvements	151
roll how made	152
council to revise and correct	153
notice of confirmation of rolls	154
confirmation of	155
presumption of validity	155
a lien against persons and property notice of lien may be recorded	155

	Sec. No.
SPECIAL ASSESSMENTS (con- tinued).	
cost of notice to be added to assess- ment	155
discharge of notice of lien.....	155
when not to be held invalid.....	155
proceedings in case of invalidity...	158
when new may be made.....	158
vacating invalid	158
collection of.....	159
suit for collection of.....	159
chancery foreclosure of.....	159
proceedings on foreclosure	159
costs of foreclosure how taxed....	159
sales on foreclosure	159
decree for deficiency on sales.....	159
deed and report on sale.....	159
city may purchase at sales.....	159
writs of assistance	159
collection of on general tax roll....	174
collected on general tax roll to be paid to city	175
collection of..	176
fees of treasurer	181
SPORTS and entertainments, council may prohibit, restrain or li- cense	(4th) 28
STATEMENT , annual statement of receipts and disbursements	38
annual statement to be signed and published	39
contents of annual	180
to be recorded by recorder.....	180
STREET COMMISSIONER , appoint- ment and confirmation of.....	13
term of office of.....	16
seat in council meetings and right to debate	40
powers and duties of.....	82
to make monthly report to controller to direct labor performed for poll tax	146
to give notice of time and place of poll tax labor.....	146
compensation to be fixed by council	178
STREET RAILWAYS , council to de- termine and designate routes, etc.....	(10th) 28
council to prevent accidents at street crossings	(10th) 28
STREETS , council to prevent incum- bering	(8th) 28
council to establish building lines..	(22nd) 28
general powers of council in relation to	34
record of..	37
work to be done under direction of street commissioner	82
improvement of at joint expense of city and property	156
new pavement, etc., of.....	157
renewing of at joint expense of city and property	157

	Sec. No.
STREETS (continued).	
railroads to maintain crossings and bridges	160
liabilities for damages for injuries on sidewalks, excavations, etc...	193
light and power commission to light	242
SUITS , city may sue and be sued.....	1
by city for special assessments....	159
double costs against officers.....	184
to be in corporate name of city.....	187
process, how served against city....	187
notice to property owners to defend injury cases	193
by and against fire and water com- mission	207
for collection of water rates.....	220
SUMMONS , for violation of charter and ordinances	125
SUNDAY , council may prohibit open- ing of saloons, etc., on....(3rd)	28
SUPERVISORS , terms of office of...	16
inspectors of election	20
powers and duties of.....	88
vacancies in office how filled.....	88
to be members of board of review...	139
compensation of	179
to make and return to county clerk jury lists	188
see board of supervisors.	
TAGS , for dogs, see dog tax.	
TAXATIONChap. XII., Secs. 138-177	
TAXES , council may impose on own- ers of dogs	(14th) 28
on dogs, see dog taxes.	
general powers of council to levy...	33
to be lien on property taxed.....	33
power of council to assess and col- lect	36
lien upon premises	36
to be collected by treasurer.....	87
may be collected for light and pow- er purposes	100
to become due and payable when...	140
additions for non-payment	140
fees of treasurer for collection.....	144
council to assess, levy and collect...	145
a lien on property assessed.....	145
limitation on amount	145
highway money tax	145
interest and sinking fund.....	145
to pay indebtedness	145
a debt to city from owners and oc- cupants of property	147
state and county, a lien on real prop- erty Dec. 1st.....	147
local, a lien on real property July 15	147
lien on personal property under gen- eral law.....	147
to be levied under provisions of gen- eral law	147
collection of under general laws.	
exemption of property from taxa- tion	148
proceedings, when tax sales void...	149
when not to be held invalid.....	150

	Sec. No.
TAXES (continued).	
sales, legal effect of.....	150
library tax to be spread annually..	261
special assessments, collected on gen- eral tax roll	174
assessments collected on general tax roll to be paid to city.....	175
fees of treasurer on collection.....	181
for fire and water commission.....	215
for light and power commission....	246
judgments against Peter White pub- lic library to be spread on tax roll	259
may be raised for library building on vote of electors	262
TAX ROLL, controller to make.....	140
spreading of local taxes and assess- ments	140
warrant to be annexed to.....	140
to be delivered to treasurer.....	140
notice of receipt to be published by treasurer	140
TERMS OF OFFICE, of city officers	16, 17, 18
of park and cemetery commissioners	101
of fire and water commissioners....	207
of light and power commissioners....	233
of trustees of Peter White public li- brary	256
TERRITORY INCORPORATED ...	2
THEATRES, council to prohibit, re- strain or license exhibitions at	(4th) 28
TIE VOTE in council, mayor may vote	28
TITLE, ordinances to have.....	117
TREASURER, election of.....	12
term of office of.....	16
to give security	20
when to deposit public moneys in bank	33
to be charged and credited with moneys, etc., by controller.....	180
may employ deputy how	82
to have custody of moneys, bonds, etc.....	87
to keep account of receipts and ex- penditures	87
to pay money only on proper war- rants	87
to keep account of taxes and amounts received for each fund, board or body.. ..	87
to report to common council quar- terly of moneys received and disbursed	87
to make monthly detailed statement to controller	87
to keep office and books open to in- spection all week days.....	87
not to discriminate in payments....	87
to collect state, county, city, school and other taxes and assess- ments	87

	Sec. No.
TREASURER (continued).	
authority conferred by warrant of controller	87
powers to enforce collection of taxes	87
to settle annually or oftener with common council and boards....	87
to give notice of receipt of tax roll..	140
to return tax roll to controller.....	142
tax roll to be delivered to.....	142
to receive and collect taxes upon roll	142
to pay county treasurer state and county taxes	142
failing to give security, council to appoint city collector	142
to give notice of receipt of tax roll.	142
percentage for collection of taxes..	144
when to collect taxes.....	144
to have powers of township treas- urers	144
to settle with county treasurer.....	147
to report to recorder payment of dog taxes	163
to receipt and report dog taxes.....	163
fees of.....	178
fees of on collections	181
to be treasurer of light and power commission	235
to be treasurer of Peter White pub- lic library	260
not to pay library money except on warrants properly signed	260
TRUSTEES of Peter White public li- brary, see Peter White public li- brary.	
VACANCIES, in board of registra- tion, how filled	6
in board of election inspectors, how filled	20, 22
VACANCIES IN OFFICE, removal causes	14
neglect to file oath of office and give security to vacate office.....	20, 23
what occasions	23
of appointive officers, how filled....	23
of aldermen, how filled.....	24
when filled by appointment of mayor supervisor, common council to fill...	26 88
in park and cemetery commission how filled	101
in fire and water commission how filled	208
in light and power commission how filled	234
of president of light and power com- mission	235
VALIDITY OF ASSESSMENTS, presumptions	155
VEHICLES and carriages kept for hire, council to license and reg- ulate	(32nd) 28
VETO, by mayor of resolutions in- volving the expenditure of pub- lic money	28
of ordinances by mayor.....	201

	Sec. No.
VICE AND IMMORALITY, council to prevent (1st)	28
VOTE, of members of council.....	28
VOTERS, see electors.	
VOTING, where electors to vote.....	5
on issue of bonds, see electors.	
unlawful to vote unless registered...	10
place of may be changed.....	200
WATER AND FIRE COMMISSION- ERS, see fire and water com- missioners.	
WARDS, number and boundaries of..	3
new, duties of boards of registra- tion.....	8-9
WARRANT, of arrest, form of.....	119
WARRANTS, not to be drawn on funds or appropriations when exhausted	e80
see orders.	
for collection of taxes, see taxes.	
for collection of assessments, see special assessments.	

	Sec. No.
WATER RATES, lien upon prem- ises.....	219
commission may enforce payment..	220
sales of land to enforce payment....	220
council to provide for and preserve purity..	(11th) 28
WEIGHTS AND MEASURES, coun- cil to regulate inspection and sealing of	(29th) 29
WITNESSES, may be compelled to attend upon investigation, etc...	50
competency of in city suits.....	130
may be subpoenaed by committees..	185
WOMEN, liable to arrest for viola- tion of charter and ordinances..	120
WORDS, interpretation and construc- tion	127
WORK AND LABOR, in discharge of fines, etc.....	33
WRITS OF ASSISTANCE, on sales for assessments....	159
YEAR, fiscal, of city.....	46

INDEX TO ORDINANCES, LOCAL REGULATIONS, ETC.

(THE REFERENCES ARE TO SECTION NUMBERS.)

	SEC. No.		SEC. No.
ABATEMENT of nuisances, see nuisances	483	ALLEYS , see streets.	
ABUSIVE LANGUAGE , use of.....	392	record of boundaries	291
ACCEPTANCE of Marquette monument	562	profile and description of grade.....	293
ACCIDENTS , police to render assistance at	c372	AMENDMENT of rules of council....	271
ACCOUNT of sales to be kept by auctioneers	509	AMUSEMENT PLACES , crowds and loitering near	397
of delinquent personal taxes.....	565	liquors not to be furnished at.....	905
ACTION , see suit.		AMUSEMENTS , license of	522, 523
for recovery of damages occasioned by use of street for building materials	306	disorderly conduct and intoxicating liquors at	524
for cost of removing street obstructions	312	ANCHORAGE , harbor master to direct	449
ADULTERATION OF LIQUORS ..	911	ANIMALS , see pounds.	
ADVERTISEMENT , see notice.		not to be left in streets unless tied..	309
of sale of articles incumbering streets	308	fastening of to fences, railings, trees, etc.....	313
of sale to be embraced in special assessments	356	upon sidewalks	332
AFFIDAVIT of publication, service and posting of notice to construct or repair sidewalks	321	police to impound	d372
concerning corpse brought into city	491	police to care for exposed.....	d372
ALARM OF FIRE , boxes for.....	691	cruelty to.....	377
how to send in.....	691	indecent exhibition of	390
penalty for false	392, 691	injury by to trees, shrubbery, etc....	415
ALDERMEN , any three may call special meeting	267	shooting and trapping in parks and cemeteries....	417
to be notified of special meetings...	267	immoderate driving in parks, etc....	419
term of service of on committees...	269	not to be at large.....	480
may order removal of obstructions from streets	308	not to run at large.....	530
marshal to serve notices for.....	c371	taking up and impounding animals.	531
duty to attend meetings of board of health	457	fees for taking up and impounding..	531
to inspect premises, report nuisances and infectious diseases.....	462	record of impounding	533
may give notice to abate nuisances	483	sales of impounded	535
to make complaint for violation of ordinance relative to nuisances.	484	disposition of worthless impounded..	535
may inspect accounts of auctioneers	509	owners entitled to net proceeds of sale of	536
		redemption of impounded	540
		interference with persons taking animals to pounds	544
		unlawful impounding of	546
		escape and rescue of, retaking of....	549
		recovery of deficiency on sale of....	550
		trespassing may be taken up and impounded	855
		state law for impounding of....	854-865
		proceedings when damage has been done by	854-865

	Sec. No.
ANNOYANCE, of persons in streets and public places	399
ANTI-FUSION LAW	754
APPEAL from fire wardens to council from health officer to council.....	438 465
from recorder to council	525
APPOINTMENT of city engineer....	285
of city engineer may be revoked....	287
APPOINTMENTS, how and when to be made and presented.....	274
to be filed by recorder and entered in minutes.....	274
how and when vote taken on con- firmation	275
APPROPRIATION of proceeds of special assessments	300
AREAS under sidewalks, protection of.....	326
ARREST, powers of police to make..	369
ASHES, not to be deposited in streets	307
fire wardens, to direct deposit of...	425
place of deposit of.....	429
deposit of in streets, parks, and private premises	468
ASSAULTS, in streets and public places	399
AUCTIONEERS to be licensed.....	504
license fees of	505
to execute bond to city.....	505
sales by unlicensed	506
manner of conducting business....	506
penalty, violation	506
not to employ bellmen, cryers, etc..	507
not to sell goods obtained from mi- norors	508
not to use deception and fraud....	508
to keep account of sales.....	509
not to sell in streets without permit license may be revoked by council..	510 511
may be committed for violation of ordinance	512
AWNINGS, material and manner of construction	328
BADGE of marshal	371
of police	371
BICYCLES, use of in streets.....	412
BALL PLAYING, games and sports in streets	387
BALLOT, proof copy of.....	753
names of candidates not to be dupli- cated on	754
form of at elections for borrowing money	558-559
BANNERS, hanging of in streets....	305
BOARD OF ELECTION COMMIS- SIONERS, see election commis- sioners.	
BARBERS, rules for observance by.	488
to keep rules posted in shops.....	488
to keep hands in sanitary condition..	488
to disinfect razors, scissors and tools used	488
to use fresh towels and napkins....	488
to use powder blowers and atomi- zers	488

	Sec. No.
BARBERS (continued).	
to scald soap cups and lather dishes	488
to disinfect lather brushes and cups	488
BARNs, nuisances prohibited	671
BARKEEPERS, females as	917-920
BARRIERS, around excavations in streets	305
BARROOMS, to be closed at 11 p. m.	
BEGGARS, police to report.....	372
BEGGING, prohibited	378
BELLMEN not to be employed by auctioneers.....	507
BELLS, on vehicles drawn by animals	874
on bicycles, etc.....	412
BERRIES, may be peddled without license	519
BETTING AND GAMING.....	892-894
BETTING on elections	761
on nominations, appointments, etc	762-763
BICYCLES, riding on sidewalks.....	412
bells on	412
BILLS for electric service, when and where payable	733
BIRDS AND NESTS, destruction of in parks and cemeteries..	417
BLINDNESS, prevention of in newly born	834
BLOWING OF WHISTLES....	405, 406
penalty for.....	407
BOARD OF FIRE AND WATER COMMISSIONERS, rules and restrictions of	683-691
permit of to tap water pipes.....	683
to examine buildings	687
when to require bonds to insure payment of wages and materials	778-780
BOARD OF HEALTH, regular and special meetings of	457
all meetings of council deemed meet- ings of board of health.....	457
may summarily call meetings.....	457
duty of aldermen to attend meetings called by mayor	457
allowance by of claims concerning contagious diseases	464
may modify or revoke regulations of health officer	465
to inquire into and summarily abate nuisances	484
laws governing	781-834
may provide free vaccination.....	829
BOARD OF SUPERVISORS, presen- tation to of claims in relation to of contagious diseases.....	464
BOARDING HOUSE KEEPERS, to report dangerous diseases....	822
BOATS, losing or removing	931
BOILERS, fire wardens to direct con- struction and care of.....	425
BOND of city engineer	286
of marshal	371
on permit for slaughtering	472
of auctioneers to city	505
of poundmasters	529

	Sec. No.
BONDS required of contractors for construction and repair of buildings and public works	778-780
BONFIRES, in streets and near buildings	428
BOOKS, see Peter White public library.	
BOUNDARIES of streets and highways to be recorded	291
BOXING MATCH, license fee for....	523
BREACHES OF THE PEACE.....	392
BRIBERY of delegates to conventions	748
BRIBERY and corruption at elections	755-760
BRIDGES, police to report defects in.	372
defects in to be reported by marshal	d371
construction of to be under direction of common council, and in charge of city engineer	289
BUILDING MATERIAL, use of street for	304, 306
owner liable for damages.....	306
BUILDINGS, moving of, permit, precautions, etc	310
not to be erected upon streets, sidewalks or public grounds.....	312
material and manner of construction of awnings	328
signs, merchandise, etc., in front of	329
use of cesspools with	341
to be assigned street numbers.....	343
injuries, to be reported by marshal.	d371
lights out, to be reported by marshal.....	d371
police to report dangerous	a372
scaffolds and staging how to be erected	386
in fire limits, scuttles and stairways	426
use of open lights in.....	430
erection of in fire limits.....	433, 434
repairs to in fire limits.....	435
removal in and into fire limits.....	436
raising and enlarging of in fire limits	436
fire wardens to raze when.....	440
plans and permit for erection of in fire limits	442
in fire limits, stand-pipes and ladders required	442
inspection, disinfection and condemnation of by health officer.....	458
nuisances prohibited	471
access to for examination by water commissioners	687
subject to examination of officers and employes of light and power commission	731
moving, notice of to superintendent of electric station	732
public, not to be used until inspected and approved	776
hotels, etc., inspection of.....	777
BURIAL GROUNDS, see cemetery..	496
BURIAL LOTS, property in	497
subject to regulations	497

	Sec. No.
BURIAL PERMIT to be issued by recorder	492
for persons dying outside city.....	490
for removal of corpses	490
affidavit of death concerning corpse brought into city	491
to be deposited with sexton	493
BURIALS, when unauthorized in cemeteries	501
BUSINESS, transaction of in parks and cemeteries	421
BUTCHER SHOPS, nuisances in prohibited ..	471
BUTTER, may be peddled..	519
BY-LAWS, to be referred.....	268
record of	272
originals to be filed with recorder..	272
proof of publication of	272
authentication of.....	272
CABLES, laying and hanging of..	305
CANDIDATES, names of to be furnished by party committees....	753
to notify election commissioners in respect to ballot	754
expenditures by	775
CANVASS and return of elections on borrowing money	561
CARCASSES of animals, disposition of.....	470
CARTS for swill, garbage, etc.....	476
CASINO, license fee of	523
CATCH BASINS, material and manner of construction	672-676
CAUCUSES AND CONVENTIONS.	736-744
CEMETERIES, digging in and injury to trees, shrubbery, flowers, etc	415
defacing and injuring monuments, signs, fences, etc....	416
fires, fire-arms, disturbances	417
drunk and intoxicated persons.....	417
shooting and trapping animals.....	417
destroying of birds nests in.....	417
nuisances in.....	418
deposit of garbage, refuse, etc., in.	418
immoderate driving in	419
use of vehicles in.....	419
signs, stands and structures in.....	420
distribution and posting of hand bills in.....	420
sales of merchandise in	421
business, trade and traffic in.....	421
sports, shows and entertainments in	421
removal permits to be filed with sexton ..	493
sextons to keep burial register and certify weekly to recorder.....	494
location of	496
burial lots in, and regulations of....	497
unauthorized burials in	501
trespassing in..	501
conduct and behavior in	501
defacing and destroying monuments, fences, trees and ornaments....	501

	Sec. No.
CERTIFICATE of sale for assessments	360
of redemption from sale.....	364
by health officer of recovery from contagious disease.....	461
by poundmaster of taking up animals	533
CESSPOOLS, when under control of health officer	341
use of, when prohibited	342
CHALLENGERS, political parties to have	745
CHARGES, against officers..	277
proceedings on	280-284
CHARTER, publication of	947
CHILDREN, lost, to be reported by marshal	d371
police to report when lost.....	a372
not to be in streets nights.....	398
education of and punishment for truancy	844-850
truant or disorderly	851
use of indecent and insulting language in presence of	883
CHIMNEYS, fire wardens to direct construction and care	425
CHOLERA, remains of persons dying with, not to be brought into city persons sick with, not to be brought into the city	485
property infected with not to be brought into city	485
persons and property from infected districts	486
permit for entry of persons and property from infected districts.	486
CHURCHES, crowds and loitering near	397
CIRCUS, license of.....	522, 523
CIGARETTES, furnishing of to minors.....	881
CIGARS, furnishing of to minors.....	881
CINDERS, deposit of.....	468, 469
CITY, official map of.....	290
when lots to be bid off to.....	357
CITY ATTORNEY, to assist in investigation of charges against officers	284
marshal to serve notice for.....	c371
may inspect accounts of auctioneers to act as counsel on behalf of the people under pound act.....	865
CITY CEMETERY, location of.....	496
CITY ENGINEER, when may be appointed	285
to file oath and bond	286
term of office and revocation of appointment	287
compensation prescribed by council duties of.....	288
to make surveys, plats, etc.....	289
to assist treasurer, attorney, street commissioner, etc.....	289
to have charge of street and sewer contracts, etc.....	289

	Sec. No.
CITY ENGINEER (continued).	
to require rigid performance of contracts	289
to make monthly reports in writing to council	289
to certify estimates of work to council and controller	289
to perform all services required by council	289
CLAIMS, to be referred unless otherwise ordered.....	268
on account of contagious diseases....	464
for fees for taking up animals.....	533
against light and power commission, how verified and filed..	718
for services by reserve police.....	942
COASTING, on sidewalks and streets	409
COLLECTION of special assessments, warrant for	350
fees of treasurer for	350
of special assessments and return..	351
extension of time	353
of special assessments by suit.....	354
COMBUSTIBLE MATERIAL care of	428
COMMITTEE, on streets to make description of streets..	292
COMMITTEES, of political parties, duties	752
COMMITMENT of offenders for non-payment of fines and costs.	937
COMMON COUNCIL, see board of health.	
special meetings, how called.....	267
proof of notice of special meeting..	267
standing committees of and how appointed	269
order of business at regular meetings	270
when motions and resolutions to be in writing	270
proceedings, how governed	271
parliamentary practice of	932, 946
ordinances and by-laws to be recorded and filed with proof of publication	272
regular meetings	266
business to be referred	268
annual regular meeting	276
to order investigation of charges against officers.....	278
employment of counsel	278
may revoke appointment of city engineer	287
to declare when city engineer is necessary	285
to approve appointment of city engineer	285
to fix compensation of city engineer	288
to direct city engineer	289
duty in relation to streets and highways.....	292
to cause profile and description of grade of streets to be filed.....	293
may direct planking, macadamizing or paving of streets	295

	Sec. No.
COMMON COUNCIL (continued).	
to direct how street improvements be made	295
improvements by at charge of private property	296
may rebate special assessments....	299
may extend warrant and time for collecting assessments	302
may direct suit for recovery of assessments	303
may grant permission for building material in streets	304, 306
may authorize digging in streets, planting of posts, hanging of signs, banners, etc.	305
permit of to dig and remove earth from streets, etc.	307
permit for moving buildings.....	310
to order construction or repair of sidewalks by owners and occupants	320
may construct, repair and collect cost of sidewalks	322
special assessments for construction or repair of sidewalks....	323, 325
may direct suit for collection of assessments	354
to authorize number of police.....	367
may amend or revoke rules of marshal.....	371
may permit discharge of firearms, fireworks, etc.	383
may permit, landing, manufacture and transportation of explosives	394
action on appeal from fire wardens.	438
confirmation of harbor master.....	447
to fix compensation of harbor master.....	447
allowance and payment of claims concerning contagious diseases..	464
appeal to from health officer.....	465
may revoke license of auctioneer....	511
may reverse refusal of recorder to license entertainments	525
to designate pounds	528
to appoint poundmasters to serve during their pleasure	529
to approve bonds and fix compensation of poundmasters	529
may designate limits for running at large of animals	531
may order release of impounded animals	542
may remove poundmasters	548
action on complaints against poundmasters	551
to designate place of registration for election on borrowing of money.	555
to elect board of election commissioners....	751
to appoint inspectors of hotels and public houses	777
duty of in respect to fire escapes in hotels and public buildings.....	777

	Sec. No.
COMMON COUNCIL (continued).	
when to require bonds to insure payment of wages and materials	778-780
to provide pounds and appoint poundmasters	855
parliamentary practice of.	932
appointment of regular and reserve police	940
to fill vacancies in regular police from reserve force	944
rules of parliamentary practice of, adopted	946
COMMUNICATIONS, to be referred	268
COMPENSATION, of city engineer..	288
COMPENSATION of police fixed by council	368
of reserve police, how paid.....	942
COMPLAINT against officers, how made, filed, etc.	277
to harbor master	450
by harbor master for violation of regulations	448
against poundmasters	551
against truant or disorderly child...	852
COMPULSORY EDUCATION of children and punishment of truancy	844-850
CONCEALED WEAPONS	875
CONCERTS, license of.....	522
CONDUCTORS of railroad cars to report arrival of sick persons.....	459
CONFIRMATION of appointments, how and when vote taken.....	275
CONSTABLES, to take up and impound animals and poultry.....	531
fees for same	531
to retake escaped and rescued animals.....	549
duties under state law for impounding of animals	854-865
fees of in criminal cases.....	934
CONTAGIOUS DISEASES, see health officer.	
arrival of persons afflicted with, to be reported	459
persons afflicted with, when to be confined	461
aldermen to investigate and report..	462
duties of health officer to provide concerning	463
allowance of bills concerning.....	464
certificate of bills to board of supervisors	464
payment and presentation of bills....	464
persons and property infected with cholera not to be brought into city	485
CONTROLLER, to receive and present complaints against recorder	277
to prepare special sidewalk assessment rolls	322
to prepare and submit to council special sidewalk repair assessment roll	325

	SEC. No.
CONTROLLER (continued).	
warrant of for collection of special assessments	350
marshal to serve notices for.....	c371
to allow and report fees for taking up animals	533
to draw order for proceeds of sale of animals	536
to furnish poundmasters books, papers and supplies	538
to examine books of poundmasters monthly	538
to keep delinquent personal tax account	565
CONVENTIONS and caucuses ..	736-744
CONVENTIONS, delegates, proxies and bribery at	746-749
CORDWOOD, not to be placed in streets	307
CORNICES, of buildings in fire limits	433
CORPSES, burial and removal of..	490-5
COSTS, see penalty.	
of sale to be embraced in assessments	356
offenders to be committed for non-payment of	937
COUNTY, presentation to of claims in relation to contagious diseases..	464
CREDIT, of labor on sentence of offenders	939
CRIME, police to prevent.....	369
punishment for, section titles.....	921
CROSS-WALKS, not to be disturbed or torn up	305
to be at the expense of city....	397, 301
CROWDS, unlawful upon sidewalks.	331
for unlawful purposes	392
when an annoyance prohibited.....	392
disturbance by, prohibited	392
loitering in, or streets.....	397
CRUELTY to animals	377
CRYERS, not to be employed by auctioneers	507
CULVERTS, defects in to be reported by marshal	d371
police to report defects in.....	a372
CURIOSITIES, license of	522-3
CURTAINS and screens, when to be removed from saloons	916
DAMAGES, to streets in moving buildings	310
DANGEROUS DISEASES, (see contagious diseases).....	463
laws relative to.....	814-824, 830-833
DANGEROUS EXPLOSIVES, landing, manufacture and transportation of	394
DAVIS SEWER SPECIFICATIONS	566-682
DEAD ANIMALS, deposit of in streets, parks and private premises	468, 469
disposition of.....	470
DEAD, bodies of the, burial and removal	490-5

	SEC. No.
DEATH, affidavit of concerning bodies brought into city	491
DEATHS, registration of	836-842
DECEPTION and fraud by auctioneers	508
DEED, on sales for special assessments	361
on purchase of city's interest.....	366
DEFICIENCY on sale of impounded animals, recovery of....	550
DEFINING of offenses	935
DELEGATES to conventions....	746-749
DELINQUENT personal taxes, record of	565
DEPOSIT of rubbish, filth, etc.....	307, 468, 469
DESTITUTE PERSONS, police to report	a372
DIGGING in streets, when unlawful.	306
permit for must be first obtained....	305
to be under direction of street commissioner	305
how to be done and left.....	305
in parks and cemeteries.....	415
DIRT, deposit of in streets, etc.....	307, 468, 469
DISCLOSURES, by persons found intoxicated.....	908
DISEASES, duty of health officer in relation to.....	48
to be reported by marshal to health officer	c371
property infected with, not to be brought into city	460
laws relative to.....	814-824, 830-833
DISINFECTION, health officer to require	458
DISORDERLY CHILDREN, who deemed	851
complaints against	852
DISORDERLY CONDUCT, defined and punished	392
in cemeteries	501
DISORDERLY HOUSES, keeping and being inmate of.....	375, 391, 877, 878
DISORDERLY PERSONS	877, 880
DISTURBANCE, police to quell.....	369
of religious meetings	380
prohibited	392
DITCHES, construction of in streets	305
DOCKS, harbor master to protect use of	449
limits of in harbor.....	453
construction of in harbor	454
DOGS, police to report unlicensed....	a372
vicious, notice to owner to kill.....	866
DOG SLEIGHS, on sidewalks and streets	409
DRAINS, see sewers.	
laying of in streets.....	305
DRIVING, immoderate	384, 419
DRIVERS of public carriages....	869-870
of public carriages to make horses fast	872

	Sec. No.		Sec. No.
DRUGGISTS, penal provisions of law		ENCROACHMENTS (continued).	
in relation to	898-916	removal of from streets, etc.....	312
DRUNK or intoxicated persons.....	879	on sidewalks	326
DRUNKARDS, sales of liquors to...	903	ENTERTAINMENTS, see public en-	
DRUNKENNESS prohibited	378	tertainments.	
in parks and cemeteries	417	license fees for	523
DUALINE, landing, manufacture and		ESCAPE of persons under arrest,	
transportation of.....	394	penalty	373
DWELLING HOUSES, use of vaults		of offenders from custody.....	938
with	475	EVIDENCE, pound record	534
EARTH, not to be placed in or re-		EXCAVATIONS in streets, permit re-	
moved from streets	307	quired	306
deposit of in streets, etc.....	468	to be provided with barriers and	
EDUCATION of children, and pun-		lights	305
ishment of truancy	844-850	in streets, etc.....	307
EGGS, may be peddled.....	519	EXCREMENT, deposit of in streets,	
ELECTION COMMISSIONERS, to		etc.....	371, 468, 469
prepare ballots	558-9	EXHIBITION, indecent, of animals..	390
to be elected by council.....	751	license for.....	522
ELECTIONS, canvas and return of on		EXPLOSIVES, not to be fired with-	
borrowing money	561	out permit.....	383
notice of on borrowing money.....	556	landing, manufacture and transpor-	
conduct of for borrowing money....	557	tation of	394
commissioners to prepare ballot for		FALSE ALARM OF FIRE.....	392
election on borrowing money.....	558-559	FARE, paying of on street cars.....	403
general laws applicable	750	FAST DRIVING, in streets, etc.....	384
challengers, political parties to have		in parks and cemeteries	419
offenses against	755-760	FARM PRODUCE, may be peddled.	519
unlawful solicitation in polling		FEEs, to be paid by hawkers and	
rooms	774	peddlers	515
betting on	761	license of public entertainments....	523
ELECTRIC CIRCUITS, electro mo-		for taking up and impounding ani-	
tive force of.....	724	mals.. ..	531
ELECTRIC LAMPS, types of bases		for taking up animals, how paid....	533
and sockets for	725	collected by poundmasters to be paid	
ELECTRIC LIGHTS, users to report		to treasurer	536
number and candle power of... 726		to be charged by poundmasters.....	539
permit for use of.....	726	of treasurer on collection of special	
use of greater candle power than au-		assessments	350
thorized	727	of justices of the peace in criminal	
use of more lamps than authorized. 727		cases	933
permit required for change of loca-		of constables in criminal cases.....	934
tion or candle power.....	728	FEMALES under seventeen years of	
reduction in number to be reported..	729	age in houses of ill fame, etc....	877
continuous service not guaranteed,		inducing of to enter houses of ill	
waiver of damages, etc.....	730	fame, etc.....	878
bills for, when and where payable..	733	as barkeepers	917-920
penalty for failure to pay.....	733	FENCES, injury or destruction of....	313
may be discontinued for failure to		FESTIVALS, license of	522
pay bills	733	FEVER, property infected with not to	
ELECTRIC SERVICE, application		be brought into city.....	460
and security for	719	FIGHTS in parks and cemeteries.....	417
bills for, when and where payable..	733	FILTH, deposit of in streets, etc.....	
penalty for failure to pay.....	733		371, 468, 469
may be discontinued for failure to		FINES, see penalty.	
pay bills	733	offenders to be committed for non-	
ELECTRIC WIRES, rules for wiring 720		payment of	937
not to be tapped without permit....	721	credit on for labor	939
to be connected only by licensed		FIRE ALARM, false	392
wiremen	722	location of boxes	691
conductivity of fuses	723	how to send in.....	691
not to be raised, cut or interfered		penalty for false	691
with for moving buildings	732	FIRE ARCHES, fire wardens to di-	
ENCROACHMENTS, on streets and		rect construction and care of....	425
sidewalks, etc., by buildings....	311		

	Sec. No.
FIRE AND WATER COMMISSION, see board of fire and water com- missioners.	
FIRE ARMS, discharging of.....	383
in parks and cemeteries	417
FIRE LIMITS, scuttles and stairways	426
boundaries of	432
erection of buildings in.....	433, 434
repairs of partially destroyed build- ings	435
removal of buildings in and into....	436
raising and enlarging of buildings in	436
construction of sheds in.....	437
plans and permit for erection of buildings.....	441
stand pipes and ladders required....	442
trades and occupations prohibited in	443
storage oil tanks in.....	443
FIRE PLACES, fire wardens to direct construction and care of.....	425
FIRES, police to protect property at..	369
duties of police at.....	372
police to give alarms	372
in parks and cemeteries	417
setting of in streets or near buildings	428
FIRE WARDENS, to require com- pliance with fire laws and ordi- nances.....	424
to direct concerning ashes.....	429
to enter buildings semi-annually....	425
to give warning to owners and occu- pants of buildings	425
to see that chimneys, stoves, pipes, ovens, etc., are secure.....	425
to examine places of deposit of ashes and combustibles	425
to give directions in regard to build- ings and deposit of combustibles	425
to notify council of failure to comply with orders	425
permit for erection, repair and re- moval of buildings in fire limits.	438
to keep record of permits.....	438
to raze buildings erected in violation of ordinance	440
to serve notice that stand pipes and ladders are required on buildings in fire limits	442
FIREWORKS, discharge of without permit	383
FISH, deposit of.....	468, 469
may be peddled	519
FOOD, sale of impure.....	389
examination, condemnation and sale of	458
FOUNTAINS, injury to	416
play of, restricted....	689
FRATERNITY HALL, license fee of	523
FRAUD and deception by auctioneers	508
FRESH MEAT and fish, may be peddled	519
FRUIT, may be peddled.....	519
FUNERALS, when health officer to direct	458
FURNITURE, destruction of infected	458

	Sec. No.
FUSE WIRE, conductivity of.....	723
FUSION, of parties, ballot law.....	754
GAMBLING rooms and games.....	894
GAMING AND BETTING	892-894
GAMING DEVICES	379
seizure of	381
GAMING HOUSES and rooms.....	375, 391, 894
may be forcibly broken into.....	381
arrests in	381
GAMING, by students and minors....	904
GAMES, played or permitted on Sun- day	382
prohibited in streets	387
license for	522, 523
GAMES, unlawful	894-896
GARBAGE, deposit of in streets, etc.	307, 468, 469
GARBAGE carts, use of.....	476
GAS, police to report leaks of.....	a372
marshal to report leaks of.....	d371
GREASE TRAPS, in house sewers...	339
control of street commissioner.....	335
GREENSWARD, disturbing of	305
GUARDIANS, complaint by, against truant or disorderly children....	852
duties of in relation to education of children	844-850
HAND BILLS, distribution of in parks and cemeteries	420
indecent and immoral	481
HAWKERS AND PEDDLERS, po- lice to report	a372
to procure license	513
recorder to license	514
license fees to be paid by.....	515
term of license.....	515
license numbers on vehicles.....	516
to carry and exhibit license.....	517
manner of carrying on business....	518
not to call out or cry goods.....	518
not to blow horns or ring bells.....	518
HARBOR, blowing of steam whistles in.....	405, 406
deposits in	444
anchoring of vessels in.....	445
moving of steam craft in.....	446
lights and vessels in.....	446
fastening of vessels in.....	446
use of vessels in subject to order of harbor master	449
wharf limits in.....	453
erection of structures in.....	454
HARBOR MASTER, appointment, oath and bond of.....	447
appointment of deputy	447
compensation of.....	447
mayor may remove	447
to enforce laws and ordinances reg- ulating navigation	448
to protect use of wharves.....	449
to regulate anchorage of vessels....	449
to order removal of wrecks.....	449
to order location of vessels.....	449
may move vessels	449

	SEC. No.
HARBOR MASTER (continued).	
action of on complaints.....	450
neglect ground for removal.....	450
powers of special policeman.....	452
HAY, deposit of in streets, etc 307, 468, 469	
may be peddled	519
HEALTH, ordinance relative to.. 457-467	
laws relative to.....	781-834
HEALTH OFFICER, control over	
receptacles for sewer drainage, etc., on streets without sewers..	340
control over cesspools, drains, etc..	341
marshal to serve notices for.....	c371
to be sanitary adviser of board of health	458
to learn influences affecting health..	a458
to ascertain causes and distribution of disease	b458
to advise means of preventing dis- ease	c458
to investigate and advise vaccina- tion, isolation, etc.....	d458
to provide medical care and nurs- ing.....	e458
to give public notice of danger.....	f458
to advertise dangerous sickness and order closing of schools.....	g458
to supervise certain funerals.....	h458
to direct disinfection	i458
to inspect and condemn premises, buildings and vessels	j458
to enforce safe and sanitary condi- tions in lodging houses, manu- factories, slaughter houses, liv- ery stables, etc.....	k458
to determine quarantine	l458
to make regulations for quarantine and disinfection of vessels and goods and treatment of sick persons	m458
to order to quarantine and disinfec- tion of cars and vessels and con- finement of infected persons.....	n458
to prevent introduction of disease, to quarantine persons, vessels and conveyances	o458
to remove and destroy infected fur- niture and other property.....	p458
to enforce placarding of premises...	q458
to examine milk and food sub- stances, condemn and direct de- struction of unwholesome food and prevent its sale.....	r458
to direct abatement of nuisances, to cause violations to be punished..	s458
to require aid and assistance of mar- shal	t458
to report monthly to council.....	u458
to direct places of confinement of persons sick with contagious diseases	461
certificate of recovery from contagi- ous diseases	461

	SEC. No.
HEALTH OFFICER (continued).	
to remove infected persons, to pro- vide nurses, attendance and necessaries at charge of persons or county	463
to keep and render account.....	463
appeal from to council.....	465
laws governing	781-834
permit by for entry of persons and property from infected districts.	486
permit for removal of corpse.....	492
HEARTHS, fire wardens to direct	
construction and care of.....	425
HIGHWAYS, see streets.	
record of boundaries	291
in use for six years to be recorded..	292
profile and description of grade....	293
HITCHING POSTS, when permitted.	327
HOGS, keeping of	474
not to be at large.....	480
HORSES, fast driving in streets....	384
HORSES AND TEAMS, loosing or	
driving away of	930
HOSE, use of, for sprinkling.....	690
HOSPITALS, establishment of	814
HOTEL KEEPERS, to report dan- gerous diseases	822
HOTELS, inspection of....	777
HOUSEHOLDERS, to report danger- ous diseases	822
HOUSE OF ILL FAME, keeping of, etc.....	375, 878
taking to and receiving girls in....	877
enticing females into	878
HYDRANTS, unauthorized opening of	688
ICE to be removed from sidewalks..	333
IDLERS, police to report	a372
ILLEGAL VOTING..	757
IMMODERATE DRIVING, in	
streets, etc.....	384
in parks and cemeteries	419
INFECTED PROPERTY not to be brought into city	460, 485
INFECTIOUS DISEASES, see con- tagious diseases....	462
IMMORAL CONDUCT.....	374-6, 391-2, 877-8, 880, 883
IMMORAL PLAYS, prohibited	376
IMMORAL LANGUAGE in presence of women and children.....	883
IMMORAL POSTERS, etc.....	876
IMPRISONMENT, see penalty.	
for non-payment of fine and costs.	937
credit for labor performed.....	939
IMPROVEMENTS, at charge of pri- vate property	296
IMPOUNDING of animals.....	528, 554
state law for.....	854, 865
IMPROPER DIVERSIONS, noise, riot, false alarm of fire, etc.....	392
IMPURE FOOD, sale of.....	389
INCANDESCENT LIGHTS, electro motive force of circuits.....	724

	Sec. No.
INDECENT books and pictures, selling of	376
conduct	374-6, 391-2, 876-8, 883
exhibition of animals	390
language in presence of women and children	883
INJURY to trees, shrubbery, etc., by animals	415
to monuments, signs, fences, trees, etc.....	416, 501
INSANE PERSONS, to be reported by marshal	d371
police to report	a372
INSPECTION of public buildings....	776
INSULTING LANGUAGE, use of....	392
in presence of women and children..	883
INTEREST, on special assessments.	356
INTERFERENCE with removal of obstructions	334
with officers	381, 393
with persons taking animals to pounds	544
with water pipes	638
INTOXICATED PERSONS	879
sales of liquors to.....	903
disclosures by	908
INTOXICATING LIQUORS, not to be furnished on Sunday.....	382
places of sale to be closed at 11 p. m.....	423, 907
not to be furnished at places of amusement	524
not to be furnished election days	772, 773
penal laws relating to.....	898-916
sales to minors, drunkards, etc.....	903
not to be furnished students or minors	904
not to be furnished in amusement places	905
adulteration of.....	911
branding of barrels, etc.....	912-913
drugged, poisoned or adulterated	914-915
females as barkeepers.....	917-920
INTOXICATION prohibited	378
in parks and cemeteries.....	417
INVESTIGATION of charges against officers	278-284
of complaints against poundmasters	551
JUMPING on and off street cars.....	401
JUSTICES OF PEACE, jurisdiction of concerning impounded animals	856
fees of in criminal cases.....	933
to commit offenders for non-payment of fine and costs.....	937
may suspend sentence, when.....	937
JUVENILE OFFENDERS, apprehension and punishment of.....	851-853
LADDERS, required on buildings in fire limits....	442
LAMP HOLES, materials and manner of construction.....	670-671
LAMPS, lighting, extinguishing and injury to....	414
use of in stables, etc.....	430

	Sec. No.
LAMPS (continued).	
electric, types of bases and sockets for	725
LANES, see streets.	
record of boundaries.....	291
profile and description of grade....	293
LAW OF THE ROAD.....	867
LAWFUL AUTHORITY, defined..	935
LEGAL HOLIDAY, regular meetings of council not to be held..	266
LEWDNESS, prohibited	376
LIBRARY, see Peter White Public Library.	
law for the protection of.....	713-715
LICENSE of auctioneers.....	504
fees to be paid by auctioneers.....	505
revocation of auctioneers.....	511
for hawkers and peddlers.....	513
of hawkers and peddlers.....	514-515
hawkers and peddlers to exhibit..	517
of public entertainments.....	522-3
of Opera House, Casino, Fraternity Hall and other public halls....	523
refusal to issue for entertainments	525
appeal from recorder to council....	525
for entertainments may be revoked by mayor	525
of electric wiremen.....	722
LIGHT AND POWER COMMISSION, regular meetings.....	716
special meetings, how called.....	717
claims against, how verified and filed	718
applications to for electric service.	719
security to for payment of rates...	719
to license electric wiremen.....	722
may revoke license of electric wiremen	722
when to require bonds to insure payment of wages and materials	778-780
LIGHTS on vessels in harbor.....	446
to be placed at excavations in streets	305
marshal to report concerning.....	d371
police to report concerning.....	a372
use of open in buildings.....	430
LIQUOR LAW, penal provisions of	898-916
LIVE STOCK may be peddled.....	519
LIVERY STABLES, sanitary condition of.....	458, 473
LOCOMOTIVES, blowing of whistles.	406
LODGING HOUSES, sanitary condition of.....	458
LOITERING, in crowds on sidewalk	331
LOOSING or driving away of horses and teams	930
of boats from fastenings.....	931
LOST CHILDREN, to be reported by marshal.....	d371
LOTS to be assigned street numbers	343

	Sec. No.
MACADAM, how to be laid in streets	295
not to be disturbed or torn up.....	305
MAINTENANCE of political purity	764-773
MALFEASANCE, complaint against officers for.....	277
MANHOLES, materials and manner of construction.....	664-669
MANUFACTORIES, sanitary con- dition of.....	458
use of vaults with.....	475
MANUFACTURE of explosives....	394
MAP, recorder to procure official map of city.....	290
MARQUETTE MONUMENT, ac- ceptance and protection of..	562-564
MARQUETTE OPERA HOUSE, license fee of.....	523
MARSHAL, duties of on investiga- tion of charges against officers.	284
when to advertise and sell articles obstructing streets	308
to cause removal of encroachments on streets.....	312
duty to enforce street ordinance..	315
to give notice of and to remove ob- structions and encroachments on sidewalks.....	326, 334
notice by to remove improper awn- ings	328
to be chief of police.....	367
bond of.....	a371
to make rules for government of police and watchmen.....	a.....b871
to serve papers and notices for city officers	c371
to notify health officer of diseases and nuisances.....	c371
to report bursted water pipes, clogged sewers, defective side- walks, etc.....	d371
uniform and badge of.....	e371
absence or disability of.....	371
may break into gaming houses....	381
may arrest without warrant per- sons in gaming houses.....	381
may seize and destroy gaming de- vices	381
to arrest persons coasting, etc.....	411
to assist health officer.....	458
to give notice to abate nuisances..	483
to inquire into and summarily abate nuisances	484
to make complaint for violation of ordinance relative to nuisances	484
to take up and impound animals and poultry.....	531
fees for taking up and impounding animals	531
duties under state law for impound- ing of animals	854-865
to notify prosecuting attorney of violation of liquor law.....	902

	Sec. No.
MARSHAL (continued).	
to visit saloons weekly and enter complaint.....	909
fees of in criminal cases.....	934
may require active service by re- serve police	942, 943
complaint by, against truant or dis- orderly children.....	852
MAYOR may call special meetings of council.....	267
to be notified of special meetings of council.....	267
to refer all business presented to council unless otherwise ordered by three-fourths vote.....	268
to appoint standing committees of council and committee chair men	269
to authenticate record of ordinances.	272
appointments to be in writing and presented at regular meeting of council.....	274
when to appoint city engineer.....	285
with council may revoke appoint- ment of city engineer.....	287
may order removal of obstructions from streets	308, 312
to execute deeds on assessment sales	361
to execute deed of city's interest...	366
may appoint and swear in special police	370
in absence of marshal to designate chief of police.....	371
may amend or revoke rules of mar- shal	b371
marshal to serve notices for.....	c371
may permit discharge of firearms, fireworks, etc.....	383
to appoint harbor master.....	447
when may remove harbor master..	447
may call special meetings of board of health.....	457
when to call special meeting of board of health	465
may inspect account of auctioneers	509
may permit auction sales in streets etc	510
to note revocation of auctioneers' license	511
may demand hawkers and ped- dlers to exhibit license.....	517
may revoke licenses for public en- tertainments	525
proclamation of concerning main- tenance of political purity....	772
examination of hotels and public houses	777
complaint by, against truant or disorderly children.....	852
may require offenders to perform labor	938
to certify performance of labor by offenders	939

	SEC. No.
MARSHAL (continued).	
may require active service by re-serve police	942, 943
MEDICINE, practitioners to be registered	843
MEETINGS of council, regular....	266
of council, special how called....	267
of council, proceedings how governed	271
annual regular	276
of Board of Health.....	457
special, how called.....	457
regular, of light and power commission	716
special of light and power commission	717
parliamentary practice.....	932, 946
MENAGERIE, license of.....	522, 523
MERCHANDISE, on sidewalks.....	329, 330
pling of against lamp posts.....	414
destruction of when infected.....	458
MERRY-GO-ROUND, license fee for	523
MIDWIVES, to report concerning the newly born.....	834
to be registered	843
MILK, sale of impure.....	389
examination, condemnation and sale of.....	458
may be peddled without license....	519
MINORS, auctioneers not to sell goods obtained from.....	508
furnishing of cigars and tobacco to sales of liquors to.....	881, 903
gaming by.....	904
not allowed in saloons.....	905
MISCONDUCT, complaint against officers for	277
MISFEASANCE, complaint against officers for	277
MISSILES, hurling of	399, 408
MOLESTATION, of persons in streets and public places.....	399
MONEYS, proceeds of special assessments, how applied.....	352
safe keeping of public.....	922-929
MONUMENT, to Marquette, acceptance and protection of.....	562-564
MONUMENTS, injury to..	416
MORTAR, not to be deposited in streets	307
MOTIONS, when to be reduced to writing	270
parliamentary practice	932
MOVING OF BUILDINGS, permit, precautions, etc.,	310
notice of to superintendent of electric station	732
MUSEUM, license fee for.....	523
NEGLECT OF DUTY, complaint against officers for	277
NINEPIN ALLEYS	895
NITRO-GLYCERINE, landing, manufacture and transportation of..	394

	SEC. No.
NOTICE, of special meetings of council	267
to officers of taking of proofs.....	279
to street commissioner of digging, planting posts, etc., in streets....	305
to remove obstructions in streets....	308
to remove encroachments from streets, etc	312
to owners and occupants to construct or repair sidewalks.....	321
to construct sidewalks, service and posting of	321
publication of minutes to be.....	321
of review of sidewalk assessment roll	323
to repair sidewalks	324
to remove improper awnings.....	328
to be served by marshal.....	c371
of publication of appeal from fire wardens to council	438
of danger by health officer.....	458
to abate nuisances	483
of sales of impounded animals.....	535
to be posted on pounds.....	554
of registration and election on borrowing money	556
to electric station of interruption in service	730
to owner to kill vicious dog.....	866
NOISE, improper, prohibited	392
NUISANCES, substances not to be deposited in streets	307
encroachments on streets	312
police to remove	369
to be reported by marshal to health officer	c371
police to report	a372
in parks and cemeteries.....	418
when buildings deemed	440
health officer to abate	458
to be reported by aldermen.....	462
deposit of substances in streets and private premises	468, 469
disposition of dead animals	470
in tanneries, slaughter houses, etc....	471
slaughtering of animals	472
livery stables	473
keeping of hogs	474
privies, vaults, etc.....	475
emptying of vaults	476
notice to abate	483
NUMBERS, buildings and lots to have	343
NURSES to report concerning the newly born	834
OATH of city engineer.....	286
of police	368
of poundmasters	529
OBSCENE LANGUAGE, use of.....	392
in presence of women and children. 883	
OBSTRUCTIONS in streets	304
on sidewalks	326
OBSTRUCTING officers	334, 381, 393
OCCUPANTS, of lots to construct and repair sidewalks	320, 324

	Sec. No.
OCCUPANTS (continued).	
to remove snow and ice from sidewalks	333
to remove obstructions from sidewalks	334
to place street numbers on buildings	347
to observe orders of fire wardens	425, 440
when not to use buildings without stand pipes and ladders	442
to keep premises wholesome	479
to pay expenses of removal of nuisances	483
OFFENDERS to be committed for default in payment of fine and costs	937
when and how may be employed	938
credit to for labor performed	939
OFFENSES against election laws	755, 760
against political purity	764-773
definition of	935
punishment of, not otherwise provided	936
OFFENSIVE SMELLS , abatement of	468, 469, 478, 479
OFFENSIVE SUBSTANCES , deposit of	468, 469
OFFICERS , how appointments to be made, filed and recorded	274
complaints against, how made	277
investigation of charges against	278
taking of proofs on trial of	279
proceedings on charges against	280-284
appointment of city engineer	285
may order removal of obstructions from streets	308
may give notice to remove encroachments from streets, etc.	312
resistance to	312
may give notice to abate nuisances obstructing and hindering of	334, 381, 393
may examine peddlers' license	517
appointment, oath, bond and compensation of poundmasters	529
removal of poundmasters	548
powers and duties of under general laws	736-929
safe keeping of public moneys by	922-929
appointment and qualification of regular and reserve police	940
powers and duties of regular police	941
powers and duties, and compensation of reserve police	942
OIL TANKS , in fire limits	443
OPERA HOUSE , license fee of	523
ORDER OF BUSINESS , of common council	270
ORDINANCES , record of	272
originals to be filed with recorder	272
proof of publication of	272
authentication of	272
for street construction	295
publication of	947
OVER-LOADED VEHICLES	945

	Sec. No.
OVENS , fire wardens to direct construction and care of	425
OWNERS AND OCCUPANTS , to construct and repair sidewalks	320, 324
to remove snow and ice from sidewalks	333
to remove obstructions and encroachments on sidewalks	334
to observe orders of fire wardens	425, 440
when to erect stand pipes and ladders	442
to place numbers on buildings	347
to keep premises wholesome	479
PANORAMAS , license of	522
PAPER , deposit of in streets, etc.	468, 469
PARENTS , duties of in relation to education of children	844-850
complaints by against truant or disorderly children	852
PARK AND CEMETERY COMMISSION , when to require bond to insure payment of wages and materials	778-780
PARKS , see public parks.	
PARLIMENTARY PRACTICE , rules of	932, 946
PARTY WALLS in fire limits	434
PAVEMENT , not to be disturbed or torn up	305
PEACE , police to preserve	369
PEDDLERS , see hawkers and peddlers	513
PENALTY , for non-payment of special assessments	302
for violation of street ordinance	314
for neglect to repair sidewalks	324
for permitting obstructions and encroachments on sidewalks	326
for erecting and keeping awnings	328
for placing signs, merchandise, etc., on sidewalks	329, 330
for loitering in crowds on sidewalks	331
for obstructing or driving upon sidewalks	332
for failure to remove snow and ice from sidewalks	333
for interfering with removal of obstructions and encroachments on sidewalks	334
for violation of ordinance relative to sewers and drainage	342
for failure to place street numbers on buildings	347
for non-payment of special assessments	353
for refusal to serve as special police	370
for neglect of duty, fraud, etc., by policemen	e372
for resistance to police, escapes and rescues	373
for vagrancy	374

	SEC. No.
PENALTY (continued).	
for keeping gaming houses.....	375
for lewdness, indecency, etc.....	376
for cruelty to animals.....	377
for intoxication and begging.....	378
for keeping gaming devices.....	379
for disturbance of religious meet- ings	380
for resistance to officers seizing gaming devices.....	381
for opening saloons and playing of games on Sunday.....	382
for discharge of fire arms, fire- works, etc.....	383
for fast driving in streets.....	384
for furnishing poisons not marked.	385
for use of unsafe scaffolds and staging	386
for ball playing and other games sports in streets.....	387
for leaving doors and gratings open in streets, sidewalks, etc.	388
for sale of impure and unwhole- some food.....	389
for indecent exhibition of animals..	390
for keeping disorderly and gaming houses and for immoral and in- decent conduct.....	391
for disorderly conduct.....	392
for improper noise, riot, disturb- ance, false alarm of fire, abus- ive and obscene language, etc..	392
for hindering or obstructing officers	393
for landing, manufacture and transportation of explosives....	394
for keeping open saloons or permit- ting persons therein after 11 p. m.....	395
for collecting in crowds and loiter- ing in streets, etc.....	400
for children in streets or public places, evenings	400
for assaults, molestation and an- noyance	400
for going on street railway tracks, jumping on and off, racing with or stealing rides upon street cars	404
for blowing steam whistles.....	407
for throwing missiles and use of sling shots	408
for coasting and driving dog sleighs on sidewalks, etc.....	410
for riding vehicles upon sidewalks and improper use of bicycles, etc	413
for lighting, extinguishing and in- juring public lamps, etc.....	414
for violation of ordinance for pro- tection of parks, cemeteries and grounds	422
for violation of ordinance for pro- tection of property from fire.....	431

	SEC. No.
PENALTY (continued).	
for violation of ordinance relative to fire limits.....	439
for violation of ordinance relative to harbor	451
for erection of docks and wharves outside of wharf limits.....	455
for violation of health ordinance and orders of health officer....	466
for violation of ordinances relative to nuisances.....	482
for posting indecent and immoral bills, pictures, etc.....	482
for posting signs, bills, etc., on buildings, trees, posts, etc.....	482
for introduction of cholera into city.....	487
for failure by barbers to post and observe rules	489
for violation of ordinance relative to burial and removal of the dead	495
for unlawful burial, trespass upon and improper conduct in ceme- teries	501
for selling at auction without license	504-506
for employing bellmen, cryers.....	507
for sale by auctioneers of goods obtained from minors, fraud, etc	508
for failure to keep account of sales by auctioneers	509
for auction sales in streets, etc., without permit	510
for violation of ordinance relative to auctioneers	512
for violation of ordinance relative to hawkers and peddlers.....	520
for giving unlicensed public enter- tainments	522
for violation of ordinance relative to public entertainments.....	526
for violation of pound ordinance...	552
for injury to statue of Marquette, etc.....	564
for waste of water.....	685
for unauthorized interference with water pipes, hydrants, etc.....	688
for improper use of sprinkling hose	690
for false alarm of fire.....	691
for removal or damage to books, papers and magazines of public library	706
for violation of rules of light and power commission	734
for offenses not otherwise pro- vided	936
for escape or resistance of offend- ers	938
for use of overloaded vehicles.....	945
PERMIT of street commissioner for digging, planting posts, etc., in streets	305

	Sec. No.		Sec. No.
PERMIT (continued).		PETER WHITE PUBLIC LI-	
conditions of for digging in streets..	306	BRARY (continued).	
for moving buildings	310	no one to lend card or book.....	708
for construction of sewer, etc.....	336	books not to be exchanged on the	
for discharge of firearms and fire-		day taken	708
works	383	books not to be transferred on cards	708
for landing, manufacture and trans-		finer for detention of books.....	709-710
portation of explosives	394	notice of detention of books.....	710
for erection repairs, etc., of build-		notice to guarantors of detention....	710
ings in.....	438	collection of fines, charges, and val-	
for erection of buildings in fire lim-		ue of books.....	710
its	442	cancellation of library cards.....	711
for slaughtering animals	472	suspension of privileges	712
for entry of persons and property		law for the protection of libraries	713-715
from infected districts	486	when to require bonds to insure	
for burial of deceased person.....	490	payment of wages and material	
for removal of deceased person.....	490		778-780
for burial or removal of corpse.....	492	PETITIONS, to be referred unless	
for burial to be filed with sexton....	493	otherwise ordered by three-	
for auction sales in streets, etc.....	510	fourths vote	268
application for to tap water pipes...	684	PHYSICIANS, to report dangerous	
for tapping of electric wires.....	721	diseases	823
for the use of electric lamps.....	726	to report concerning the newly born	834
PERSONAL TAXES, record of delin-		registration of	843
quent	565	PICTURES, indecent and immoral	
PETER WHITE PUBLIC LI-			481, 876
BRARY, rules and regulations		PIPES, laying of in streets.....	305
of	692-712	PLACARDS, on premises, fences,	
library free to residents of over ten		trees, posts, etc.....	481
years of age	692	at infected premises	458
privileges of non-residents	693	PLANK, specifications for laying in	
who not allowed to take books.....	693	streets	295
librarian responsible for care of		sidewalks, how constructed	318
books	694	PLASTER, not to be deposited in	
library when to be open.....	695	streets	307
use of reading room	696	PLAYING BALL, and games and	
conversation, noise, etc.....	696	sports in streets	387
dogs not permitted	696	POISONS, to be marked.....	385
conditions on which books may be		POLES, planting of in streets.....	305
taken	697	POLICE, duty to enforce street ordi-	
security to be given.....	697	nance	315
privileges may be revoked by li-		who constitute	367
brarian	697	marshal to be chief of.....	367
form of agreement of book takers...	697	number authorized by common	
qualifications of guarantors	698	council	367
library card	699	to be appointed and serve during	
holders of library cards responsible.	699	pleasure of council	368
notice of lost library card.....	699	oath of office of.....	368
notice of change of residence of book		compensation fixed by council.....	368
takers and guarantors	699	resignations	368
librarian to note condition of books.	700	powers and duties of.....	369
damage to books to be made good...	700	to obey orders of chief.....	369
librarian to enforce rules.....	700	mayor may appoint and swear in	
writing and marking in books.....	700	special	370
special privileges, how granted.....	701	powers and compensation of special.	370
application for books, how made....	702	marshal to make rules for.....	b371
books to be retained only two weeks	702	uniform and badge of.....	c371
renewal of books	702	to advise location of streets, hotels,	
use of books in reading room.....	703	etc.....	b372
reference books not to be taken.....	704	to render assistance to ill or injured	
books used only in reading room.....	705	persons	c372
books, papers, and magazines not to		to give alarms of fire.....	c372
be removed, clipped or defaced..	706	to secure dangerous places in street.	c372
books subject to recall.....	707	to take up and impound animals....	d372
no admittance to book room.....	708	to care for exposed animals.....	d372

	Sec. No.
POLICE (continued).	
penalty for neglect of duty, fraud, etc.....	e372
to attend fires on order of marshal..	372
duties at fires	372
what to report to marshal.....	a372
may break into gaming houses.....	381
may sieze and destroy gaming de- vices	381
may arrest without warrant persons in gaming houses	381
to prevent fast driving	384
to arrest persons coasting, etc.....	411
power of harbor master	452
to assist health officer	458
to make complaints relative to nul- sances	484
to inquire into and abate nuisances.	484
to take up and impound animals....	531
fees for taking up and impounding animals	531
poundmasters to have police powers	547
to retake escaped and rescued ani- mals	549
duties under state law for impound- ing of animals	854-865
to notify prosecuting attorney of violations of liquor law.....	902
appointment of regular and reserve authorized	940
how to qualify.....	940
powers and duties of regular.....	941
powers and duties of reserve.....	942
reserve, when to perform active duties	942
not required to wear uniform.....	942
to receive compensation only when on duty.....	942
compensation of, how paid.....	942
vacancies in regular to be filled from reserve force.....	944
POLITICAL CONVENTIONS, see conventions.	
POLITICAL PARTIES, challengers	745
duties of committees of.....	752-753
POLITICAL PURITY, offenses against	764-773
POLLS, when open on elections for borrowing money.....	557
POSTERS, in parks, etc.....	420
on buildings, fences, trees, poles, etc	481
indecent and immoral.....	481, 876
POSTING, of notice to construct or repair sidewalk	321
of notice of contagious disease.....	q458
of sanitary rules in barber shops....	488
of sale of impounded animals.....	535
of signs on pounds	543, 554
of registration and election.....	555-556
see posters.	
POSTS, planting of in streets.....	305
POUNDMASTERS, to be appointed by council	529
to file oath and give bond.....	529

	Sec. No.
POUNDMASTER (continued).	
compensation fixed by common council	529
fees for taking up and impounding animals	531
to take up and impound animals and poultry	531
to receive, keep and feed animals..	532
to keep record of animals im- pounded	533
what record to show	533
to give certificate to persons taking up animals	533
when to sell animals impounded...	535
to give and post notices of sales...	535
to report sales of animals.....	535
to pay weekly to treasurer moneys collected	536
to report weekly to controller.....	537
to be furnished books, papers and supplies	538
fees to be charged by.....	539
duties upon sale and redemption of animals	540
when not to receive animals.....	541
not to deliver animals when.....	542
to place address sign at pounds...	543
to have police powers.....	547
compensation and removal of.....	548
to retake escaped and rescued ani- mals	549
may prosecute suit for recovery of deficiency on sale of animals....	550
complaints against.....	551
to keep office with recorder.....	554
absence of, recorder to act.....	554
to post notice of office.....	554
duties under state law for impound- ing of animals	854-865
POUNDS, to be designated by council	528
to be kept open entire year.....	528
who entitled to fees for taking up animals	531
record, evidence of sales, etc.....	534
address sign on.....	543
interference with persons taking ani- mals to	544
fees to be charged for keeping, feeding, etc.....	539
redemption of animals sold.....	540
when poundmaster not to receive animals	541
animals not to be released when...	542
breaking into	545
unlawful taking up of animals.....	546
escaped and rescued animals may be retaken	549
state law concerning running at large of and damage by animals	854-865
to be provided by council.....	855
PRECEDENCE of motions	932
PREMISES, aldermen to enter and examine	462

	SEC. No.		SEC. No.
PREMISES (continued).		PUBLIC HALLS , crowds and loitering near	397
deposit in of rubbish and nuisances	468, 469	license fee of	523
nuisances not to be allowed on.....	471	PUBLIC HEALTH , see health officer, board of health.	
not to be offensive	479	ordinance relative to....	457-467
PRISONERS , when and how may be employed	938	premises not to be injurious to....	479
credit for labor performed	939	quarantine, nuisances, offensive trades, etc.....	781-834
PROCEEDINGS of council, how governed	271, 932, 946	laws in respect to.....	781-834
on investigation of charges	280-284	PUBLIC LAMPS , lighting, extinguishing and injury to.....	414
PROCLAMATION by mayor concerning maintenance of political purity	772	PUBLIC LIBRARY , see Peter White public library.	
PROFILE , of grade of streets, etc., to be filed	293	PUBLIC MONEYS , safe keeping of	922-929
PROPERTY , destruction of infected. infected not to be brought into city..	458 460	PUBLIC PARKS , digging and injury to trees, shrubbery, flowers, etc	415
PROPERTY OWNERS , to construct and repair sidewalks	320, 324	injury to trees, shrubbery, flowers, etc.....	415
to remove snow and ice from sidewalks	333	digging and driving in.....	415
to remove obstructions and encroachments from sidewalks	334	defacing and injuring monuments, signs, fences, fountains, etc....	416
to place numbers on buildings....	347	building of fires, firing guns and other disturbances	417
to observe orders of fire wardens	425, 440	drunk and intoxicated persons in...	417
to pay expense of razing buildings.	440	destroying of birds nests in.....	417
to equip buildings in fire limits with stand-pipes and ladders	442	nuisances in.....	418
to keep premises wholesome.....	479	deposit of garbage, refuse etc., in...	418
to pay expense of abatement of nuisances	483	use of vehicles in.....	419
PROSTITUTION , houses of ill-fame, etc.....	375, 877, 878	immoderate driving in.....	419
PROTECTION OF LIBRARIES 713, 715		signs, stands and structures in....	420
PROXIES not to be given to conventions	746-749	distribution and posting of hand bills	420
PUBLIC AMUSEMENTS , license and conduct of	522-527	sales of merchandise in.....	421
liquors not to be furnished at.....	905	business, trade and traffic in.....	421
see public entertainments.		sport's, shows and entertainments in	521
PUBLICATION of ordinances, proof of....	272	deposit in of rubbish and nuisances.	468, 469
of notice to repair sidewalks.....	321	park on Washington street.....	496
of notice of sale for assessments....	356	PUBLIC PEACE , police to preserve..	369
PUBLIC BUILDINGS , inspection of	777	PUBLIC PLACES , children in, evenings	398
bonds required of contractors for construction and repair of..	778-780	PUBLIC POUNDS , see pounds.	
PUBLIC CARRIAGES , employment of drunken drivers	869-870	PUBLIC WORKS , bonds required of contractors for construction and repair of	778-780
running of horses	871	PUNISHMENT , see penalty.	
drivers of.....	871	for offenses not otherwise provided	936
horses to be made fast.....	872	PURCHASE by city of lands sold for special assessments	357
liability of owners for injuries.....	873	of city's bids on sales for special assessments	366
PUBLIC ENTERTAINMENTS , license and conduct of.....	522-527	QUARANTINE , duties of health officer in relation to	458
entertainments exempt from license	522	state law for	806-813
disorderly, indecent and immoral conduct at.....	524	RACING and riding near street cars	402
sale of intoxicating beverages at....	524	RAILWAYS , quarantine and disinfection of cars	458
bars and saloons in connection with	524	conductors to report arrival of sick persons.....	459
disorderly persons at.....	524	REBATE of special assessments.....	565
license for may be revoked by mayor	525	RECORD of ordinances and by-laws.	272
PUBLIC GROUNDS , see public parks.		of streets and highways.....	292
record of boundaries	291	of grade of streets, highways, etc..	293
		of sales for assessments	362

	SEC. No.		SEC. No.
RECORD (continued).		REFERENCE, of business to com-	
of animals impounded	533	mittees.....	268
pound, evidence of sales.....	534	REFUND, to purchaser of assess-	
RECORDER, to notify of special		ment bid	363
council meetings	267	of special assessments	565
to keep and index record of ordi-		REGISTRATION OF DEATHS. 836-842	
nances and by-laws	272	REGISTRATION of electors on bor-	
to procure proof of publication of or-		rowing money	555
dinances and by-laws	272	of physicians and midwives	843
to authenticate record of ordinances	272	REGULAR MEETINGS of council ..	
to receive and present complaints		266, 276	
against officers	277	of council as board of health.....	457
to procure official map of city.....	290	of light and power commission.....	716
to procure and keep book of street		REGULAR POLICE, appointment	
records	291	and qualification of	940
to record streets and highways.....	292	powers and duties of.....	941
to file profile of streets, etc.....	293	RELIGIOUS MEETINGS, disturb-	
to sell lands delinquent for special		ance of	380
assessments	355	REMITTING of special assessments. 565	
to publish notice of sale of lands for		REMOVAL of officers, trial for... 279-284	
special assessments	356	of police by council.....	368
to procure and file proof of publica-		of buildings in and into fire limits... 436	
tion of notice	356	of poundmasters	548
when and how to sell lands for spe-		of dead, permit for.....	492
cial assessments	357	permit to be filed with sexton.....	493
when to bid off lots to city.....	357	RENDERING, nuisances prohibited.. 471	
how to sell lots for special assess-		of animal substances	478
ments	358	REPAIR, of streets by persons dig-	
may require immediate payment of		ging	305
bids	359	REPEAL of rules of council, vote re-	
may cancel bids and re-sell when.. 359		quired	271
to pay treasurer proceeds of sale.... 359		REPORT by police and watchmen to	
certificate of sale for assessments... 360		marshal	372
to execute deeds on assessment sales 361		by marshal of defects in streets, and	
to execute deed under purchase of		other matters	371
city's interest	366	of arrival of sick persons.....	459
marshal to serve notices for.....	371	of poundmaster to controller	537
to certify and render account of		RESCUE of persons under arrest,	
claims concerning contagious		penalty	373
diseases	464	RESERVE POLICE, appointment	
permit for removal of corpse.....	492	and qualification of.....	940
to keep record of burial and removal		powers and duties of.....	942
permits	492	when to perform active duty.....	942
to license hawkers and peddlers.... 514		not required to wear uniform.....	942
to license public entertainments.... 523		to receive compensation only when	
may refuse to license entertainments 525		on duty	942
grounds of refusal to be reported to		compensation of, how paid	942
council	525	see police.	
appeal to council from refusal of re-		RESERVE POLICE may be required	
corider	525	by mayor or marshal to perform	
council may reverse refusal of re-		active duties	943
corider	525	RESIGNATION of police	368
when to perform duties of pound-		RESISTANCE, to officers	312, 393
masters	554	to police, penalty for.....	373
to deliver registers to board of reg-		to officers seizing gaming devices... 381	
istration	555	to harbor master	449
to give notice of registration and		by offenders in custody.....	938
election on borrowing money.... 556		RESOLUTIONS, to be referred un-	
to furnish articles to boards of reg-		less otherwise ordered	268
istration and election	560	when to be reduced to writing.....	270
duties of in relation to registration		ordering investigation of charges	
of deaths	836-842	against officers	278
REDEMPTION from sales for as-		relative to publication of charter,	
sessments	363, 364	ordinances, etc.....	947
of impounded animals	540		

	Sec. No.
RETURN of treasurer of delinquent special assessments	351
REVIEW, of sidewalk assessment rolls	323
REWARD for conviction of persons violating charter and rules of light and power commission.....	735
RIDING near street cars.....	402
on steps and outside of street cars..	403
on street cars without paying fare..	403
RIOT, police to quell.....	369
mayor may appoint special police..	370
prohibited	392
ROAD, law of.....	867
ROADWAYS, not to be disturbed or torn up	305
ROOFS, of buildings in fire limits....	433
ROPES, hanging of in streets.....	306
RUBBISH, deposit of in streets, parks and private premises	468, 469
RULES for electric wiring.....	720
RULES for government of council, how amended or repealed.....	271
marshal may make for police and watchmen	b371
may be amended or revoked by marshal or council	b371
of parliamentary practice	932, 946
SAFE KEEPING of public moneys..	922-929
SALES of property for delinquent special assessments	351
of lands, for delinquent assessments, list and notice	356
proof of publication of notice.....	356
interest, cost of advertising and sale to be included	356
to be made by recorder, how... 356,	357
what part of lot to be sold.....	358
immediate payment of bids may be required	359
cancellation of bid and re-sale.....	359
certificate of purchase	360
deed how and when executed.....	361
record to be made and deposited with treasurer	362
redemption from	363
refund to purchaser of bid.....	363
certificate on redemption from.....	364
treasurer to sell if recorder neglects.	365
purchase of city's bid, terms of....	366
deed upon purchase of city's bid....	366
of poisons not marked	385
of impure milk and food.....	389
of merchandise in parks and cemeteries	421
of milk and unwholesome food substances	458
at auction, unlicensed	506
live stock, vegetables, fruit, etc., exempt from requirement of ordinance relative to peddlers.....	519
pound record, evidence of.....	534
of animals impounded	535
by poundmasters, proceeds to be paid treasurer	536

	Sec. No.
SALOONS, to be closed on Sunday...	382
to be closed at 11 p. m.....	395
when may be open	423
to be closed election days.....	772, 773
penal provisions in relation to..	898-916
minors not allowed in.....	905
when to be closed	907
marshal to visit weekly.....	909
curtains and screens to be removed when	916
females as barkeepers	917-920
SCAFFOLDS, how to be erected.....	386
SCHOOLS, closing of by health officer	458
SCHOOL DISTRICT No. 1, when to require bonds to insure payment of wages and materials.....	778-780
to appoint truant officers.....	845
SCHOOLS, attendance at, of children	844-850
SCREENS, when to be removed from saloons	916
SCUTTLES, in buildings in fire limits	426
SEARCH WARRANTS	897
SECURITY, for payment of labor and materials in public works	778-780
SEIZURE, of gaming devices.....	381
SENTENCE on non-payment of fine and costs	937
suspension of.....	937
SERVICE, see notice.	
of notice of special meetings of council	267
same, of light and power commission	717
SEWERS, laying of.....	289
laying of in streets.....	305
sewerage and grease traps to be under control of street commissioner	335
permits for construction of.....	336
clogging of, to be reported by marshal	d371
police to report clogging of.....	a372
connections with main or branch sewers	337
how branches and junctions to be made	338
grease traps required.....	339
permit for connection with.....	339
houses not to be connected without grease traps	339
sewerage on streets without sewer under control of health officer..	340
nuisances prohibited.....	471
vaults to be connected with.....	475
materials, labor and manner of construction	566-682
Davis sewer specifications.....	566-682
SEXTONS to certify weekly to recorder copy of register.....	494
duties of in relation to registration of deaths.....	836-842

	SEC. No.
SHAVINGS, deposit of.....	468, 469
SHEDS, in fire limits.....	437
SHELLS, deposit	468, 469
SHOOTING GALLERIES AND MATCHES, license fee for....	523
SHOWS in parks and cemeteries....	421
license of	522, 523
liquors not to be furnished at.....	905
SICK PERSONS, arrival of to be reported	459
to be kept confined when.....	461
when not to be brought into city....	485
SIDEWALKS, not to be disturbed or torn up.....	305
building encroachments....	311
to be constructed under superin- tendence and to the satisfaction of street commissioner.....	316
width, location and grade of.....	317
material and manner of construc- tion of plank walks.....	318
when may be constructed of other material than plank.....	318
when owners and occupants of lands required to construct or repair	320
notice to and duty of persons to construct or repair.....	321
common council may construct and repair and assess costs on property	322
when immediate repair of may be ordered by street commissioner	324
to be kept in repair by owners and occupants of lots.....	324
obstructions and encroachments...	326
protection of areas under.....	326
penalty for obstructions and en- croachments upon	326
posts in	327
signs, merchandise, etc., upon....	329
receiving and delivering merchan- dise over	330
loitering in crowds upon.....	331
animals and vehicles not to ob- struct or be driven upon.....	332
snow and ice to be removed by owners and occupants.....	333
removal of obstructions and en- croachments at expense of property owners	334
defects in to be reported by mar- shal	337
police to report defects in.....	372
open doors and gratings in.....	388
broken and dangerous, prohibited..	388
crowds and loitering on.....	397
coasting on	409
riding of vehicles upon.....	412
SIGN POSTS in streets.....	327
SIGNS, hanging of, in streets.....	305
to be placed on pounds.....	542
indecent and immoral.....	481
on premises, fences, trees, posts, etc	481

	SEC. No.
SKATING RINK, license fee for..	523
SLAUGHTER HOUSES, sanitary condition of	458
nuisances prohibited	471
SLAUGHTERING, permit for.....	472
SLEIGHS, on sidewalks and certain streets.....	409
bells on	374
SLING SHOTS and throwing of missiles	408
SLOPS, deposit of in streets, parks, and private premises	468, 469
SMALLPOX, persons afflicted with to be confined.....	461
laws relative to	814-824, 830-833
SNOW, to be removed from side- walks by owners and occupants	333
SPECIAL ASSESSMENTS sale for delinquent. See sale.	
how collected	298
may be rebated by common coun- cil	299
proceeds, how appropriated.....	300
extension of time for collection.	302, 353
penalties for deferring payment of.	302
council may direct suit for collec- tion of	303
for sidewalks, how collected.....	323
for construction and repair of side- walks	322
review correction and adoption of roll for sidewalks, and notice..	323
for cost and expense of sidewalk repairs	325
collection of	349
warrant of controller for collection.	350
delivery of roll and warrant to treasurer	350
duty of treasurer to collect and make return.....	351
advertisement and sale of property for	351
proceeds of, how applied.....	352
extension of time for collection....	353
interest penalty upon.....	353
council may direct suit for collec- tion of	354
interest, cost of advertisement and sale	356
recorder to make and publish list and notice of sale of lands delin- quent for special assess- ments	356
recorder to procure and file proof of publication of list and notice of sale	356
interest, cost of advertising and of sale to be added.....	356
certificates of sale under.....	360
deeds on sales	361
record of sales for.....	362
redemption from sales for.....	363
certificate of treasurer on redemp- tion from sale for.....	364
when treasurer to make sales.....	365

	SEC. No.
SPECIAL ASSESSMENT (continued).	
purchase of city's bids on sales for.	366
rebating and remitting of.....	565
SPECIAL MEETINGS of council..	267
SPECIFICATIONS, for sewers..	566-582
SPORTS prohibited in streets.....	387
coasting on sidewalks and certain streets	409
in parks and cemeteries.....	421
SPRINKLING HOSE, use and size of nozzles for.....	690
STABLES, use of open lights in....	430
nuisances prohibited	471
STAGE OWNERS and drivers to report arrival of sick persons.....	459
STAGING, how to be erected.....	386
STAIRWAYS, to roof in buildings in fire limits	426
STAND-PIPES required in buildings in fire limits.....	442
STATUE, of Marquette, acceptance and protection of	562-564
STEAMBOATS, management of in harbor.....	446
lights on	446
harbor master to direct use of....	449
owners and masters to report arrival of sick persons	459
STEAM WHISTLES, blowing of	405, 406
penalty for blowing	407
STONE, not to be deposited in streets	307
STOP COCKS, unauthorized opening of	638
STORES, use of vaults	475
STOVES AND PIPES, fire wardens to direct construction and care of	425
manner of use	427
STRAW, deposit of in streets, etc	468, 469
STREET CARS, see street railways.	
STREET COMMISSIONER, to direct laying of macadam in streets	295
may grant permission for building material in streets	304
permit of to dig and remove earth from streets, etc.....	307
permit for the moving of buildings..	310
to cause removal of encroachments on streets	312
notice by to remove encroachments from streets, etc.....	312
duty to enforce street ordinance....	315
to superintend construction of sidewalks	316
to notify owners and occupants to construct or repair sidewalks...	321
to construct and repair sidewalks and certify expense	322
when may order immediate repair of sidewalks	324
when to repair sidewalks.....	325
to report to controller cost and expense of sidewalk repairs.....	325

	SEC. No.
STREET COMMISSIONER (continued).	
notice by to remove obstructions and encroachments on sidewalks ...	326
notice by to remove improper awnings	328
to cause obstructions and encroachments on sidewalks to be removed	334
duties under state law for impounding of animals	854-865
STREET NUMBERS, buildings and lots to be assigned	343
how assigned	344-346
to be placed on premises and buildings	347
STREET RAILWAYS, jumping on or off steps and platforms of cars	401
going upon tracks in front of cars..	402
racing with cars	402
persons not to be on steps or outside parts of cars	403
payment of fares on.....	403
penalty for going on tracks, jumping on or off of, racing with or stealing rides upon cars	404
STREETS, opening, grading, etc....	289
record of boundaries	291
in use six years to be recorded.....	292
profile and description of grade....	293
unauthorized filling or excavation of	294
how planked and macadamized....	295
materials and manner of construction to be prescribed	295
walks at intersection of streets to be at expense of city.....	297, 301
permission for building material to remain in	304
obstructions in	304
unauthorized digging	305
planting of posts in.....	305
laying of pipes, sewers, etc., in....	305
hanging of banners, signs, etc., in...	305
to be repaired and replaced by persons digging therein	305
barriers to be placed around excavations	305
lights to be placed at excavations...	305
deposit of earth, rubbish, etc.....	307
digging and removal of earth	307
mayor, aldermen and officers may order removal of encumbrances and obstructions	308
animals in, not to be left untied....	309
vehicles, not to be upon cross-ways or foot-ways	309
moving of buildings, permit, precautions, etc	310
building encroachments	311
removal of encroachments..	312
fastening of animals to fences, railings, trees, etc.....	313
posts and signs in.....	327

	SEC. No.		SEC. No.
STREETS (continued).		TREASURER (continued).	
material and construction of awnings	328	marshal to serve notices for.....	c371
buildings and lots to be assigned numbers	343	to file statement of uncollected personal taxes	565
defects in to be reported by marshal	d371	to be credited with delinquent personal taxes	565
police to report defects, obstructions and encroachments	a372	to note entry of taxes in delinquent personal tax book	565
dangerous places in to be secured by police	c372	to collect and report taxes entered in delinquent personal tax book....	565
open doors and gratings in.....	388	TREES, injury or destruction of.....	313
crowds and loitering in.....	397	injury to	415
children in, evenings	398	TRESPASS in cemeteries	501
coasting on	409	TIME, extension of, for collection of special assessments.....	353
use of bicycles, etc., upon.....	412	TRIAL, of officers, proceedings in	279-284
deposit in of rubbish and nuisances	468, 469	TRUANCY, and compulsory education of children.....	844-850
use of over-loaded vehicles on.....	945	TRUANT CHILDREN, who deemed	851
STUDENTS, gaming by	904	complaint against	852
SUIT, common council may direct for collection of special assessments	303	TRUANT OFFICERS, appointment, duties and compensation of.	844-850
for collection of special assessments	354	TOBACCO, furnishing of to minors..	881
for collection of expense razing buildings	440	TUGS, management and use of in harbor	446
for recovery of deficiency on sale of impounded animals	550	lights on	446
SUNDAY, games not to be played nor permitted on	382	harbor master to direct use of....	449
saloons to be closed.....	382	UNDERTAKERS, to deposit burial and removal permits with sextons	493
opening of shops, business and games on.....	885	duties of in relation to registration of deaths	836-842
drinking and idling in taverns.....	886	UNIFORM of marshal....	e371
presence at games, sports, etc.....	887	of police.....	f371
disturbance of worship on.....	889	UNWHOLESOME FOOD, sale of..	389
SUPERVISORS, complaint by, against truant or disorderly children....	852	VACCINATION, duty of health officer	458
SURGEONS, to be registered.....	843	board of health may provide for free	829
SUSPENSION of order of business....	270	VAGRANTS, who deemed and penalty	374
SWILL, deposit of in streets, parks and private premises	468, 469	punishment of	880
use of carts	476	VACANCIES, in standing committees, how filled.....	269
TANNERY, nuisances prohibited.....	471	in regular police to be filled by appointment from reserve force..	944
TAXES, unpaid personal, statement of to be filed with treasurer.....	565	VARIOLOID, persons afflicted with to be confined.....	461
treasurer to be credited with.....	565	VAULTS to be connected with sewers	475
treasurer to collect and report.....	565	emptying of	476
TEAMS, loosing or driving away of..	930	VEGETABLES may be peddled without license	519
TENANTS, to report dangerous diseases	822	VEHICLES not to be halted on cross-ways or foot-ways.....	309
THEATERS, liquors not to be furnished in	905	not to obstruct or be driven upon sidewalks	332
THREATENING LANGUAGE, use of	392	riding on sidewalks.....	412
THROWING, of missiles	408	use of bicycles, etc.....	412
TIRES, width of, on vehicles....	419, 945	loads and width of tires permitted in parks and cemeteries....	419, 945
TREASURER, deposit of moneys received from poundmasters	536	owners and drivers to report arrival of sick persons in.....	459
fees on collection of special assessments	350		
to collect special assessments and make returns	351		
when to refund assessment bids.....	363		
when to make sales for special assessments	365		

272 INDEX TO ORDINANCES, LOCAL REGULATIONS, ETC.

	SEC. No.		SEC. No.
SPEC		VEHICLES (continued).	
pur		for swill, garbage, etc.....	476
rele		law of the road relative to.....	867
SPEC		bells to be used on.....	874
SPEC		use of overloaded.....	945
SPOI		VESSELS, management of in harbor	446
coa		lights on	446
in		harbor master to direct use of.....	449
SPR		quarantine and disinfection of.....	458
STA		owners and masters to report ar-	
STA		rival of sick persons.....	459
STA		VOTE, three-fourths of council neces-	
STA		sary to act on business without	
STA		reference to committee.....	268
STA		three-fourths of council necessary	
STA		to act on business on same day	
STA		presented	268
STA		two-thirds required to amend or	
STA		repeal rules of council.....	271
STB		by yeas and nays on confirmation	
STB		of appointments.....	275
STB		when taken on confirmation of ap-	
STB		pointments	275
STB		canvass and return of on elections	
STB		for borrowing money.....	561
STB		VOTING, illegal.....	757
STB		WALKING MATCH, license fee for	523
STC		WALLS, of buildings in fire limits	
STC		433, 434	
STC		WARRANTS to be drawn for com-	
STC		pensation of city engineer.....	288
STC		for search	897
STC		WASHINGTON STREET, park on	496
STC		WASTE OF WATER.....	685
STC		WATCHMEN, marshal to make	
STC		rules for	b371
STC		uniform and badge of.....	f371
STC		what to report to marshal.....	a372
STC		WATER, filthy, deposit in streets	
STC		etc.....	307
STC		use and waste of.....	685
STC		WATER (continued).	
STC		to be shut off for failure to pay	
STC		rates	686
STC		use of for sprinkling.....	690
STC		WATER PIPES, bursting of to be	
STC		reported by marshal.....	d371
STC		police to report bursting of.....	a372
STC		permit to tap.....	683
STC		application for permit to tap.....	684
STC		unauthorized interference with....	688
STC		WATER RATES, when and where	
STC		payable	686
STC		penalty for failure to pay.....	686
STC		WATER WORKS, unauthorized	
STC		interference with	688
STC		WHARVES, anchoring of vessels	
STC		near	445
STC		harbor master to protect use of....	449
STC		limits of in harbor.....	454
STC		WEAPONS, carrying of concealed..	875
STC		WHISTLES, blowing of in city..	405, 406
STC		penalty for blowing.....	407
STC		WIRE, hanging of in streets.....	305
STC		police to report broken electric.....	a372
STC		conductivity of electrical fuse....	723
STC		electric, not to be tapped without	
STC		permit	721
STC		electric, to be connected only by	
STC		licensed wiremen.....	722
STC		WIREMEN, to be licensed.....	722
STC		WIRING, rules for electric.....	720
STC		WOMEN, use of indecent and insult-	
STC		ing language in presence of....	883
STC		WOOD, may be peddled.....	519
STC		WORSHIP, places of, crowds and	
STC		loitering near	397
STC		WRECKS, harbor master to direct	
STC		removal	449
STC		WRESTLING MATCH, license fee	
STC		for	523
STC		ZOOLOGICAL GARDENS, license	
STC		fee for	523

UNIV. OF M

UNIVERSITY OF MICHIGAN



UNIV. OF M
NOV 21 19

UNIVERSITY OF MICHIGAN



3 9015 06848 2069

